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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, FIRST SESSION

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WASHINGTON, MONDAY, JULY 31, 2017

No. 129

## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, August 1, 2017, at 11 a.m.

## Senate

MONDAY, JULY 31, 2017

The Senate met at 4 p.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.  
Eternal God, who transforms common days into transfiguring and redemptive moments, hallowed be Your Name. Make our lawmakers great enough for these momentous times, as they seek to live worthy of Your great Name. May Your precepts keep them from life's pitfalls, guiding them through the darkness to a safe haven. Lord, cleanse the fountains of their hearts from all that defiles, so that they may be fit vessels to be used for Your glory. Let Your peace be within them, as Your Spirit inspires them to glorify You in their thoughts, words, and actions.

We pray in Your wonderful Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. ERNST). The majority leader is recognized.

### NOMINATION OF KEVIN NEWSOM

Mr. MCCONNELL. Madam President, this week the Senate will continue considering a number of nominations, beginning with Kevin Newsom of Alabama to serve as judge on the Eleventh Circuit Court of Appeals.

Mr. Newsom has earned bipartisan support, having been voted out of the Judiciary Committee 18 to 2. As Chairman GRASSLEY pointed out prior to that vote, several lifelong Democrats and Republicans have penned letters to the committee touting Mr. Newsom's "professionalism and qualifications." He is an "exceptionally accomplished nominee," Chairman GRASSLEY said, "who spent the last 20 years building an impressive legal resume."

That resume includes things like clerking for an Associate Justice on the U.S. Supreme Court, serving as Alabama's solicitor general, and earning an appointment to the Advisory Committee on Appellate Rules.

For his exceptional work, Mr. Newsom has garnered a number of awards from the legal community. The American Lawyer magazine has included him on its list of America's top 50 litigators under age 45. Chambers USA has ranked him Band 1 for appellate litigation. The National Association of Attorneys General has awarded him on several occasions the Best Brief Award for his briefing before the Supreme Court.

During his impressive legal career, Mr. Newsom has argued four cases before the Supreme Court, filed amicus briefs in many other cases, and argued more than 35 cases in Federal circuit courts.

As indicated by his distinguished professional background, Mr. Newsom will be an excellent addition to the court. I look forward to supporting his nomination today and confirming him to the Eleventh Circuit later this week.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

### EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Newsom nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Kevin Christopher Newsom, of Alabama, to be

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S4609

United States Circuit Judge for the Eleventh Circuit.

#### LEGISLATIVE SESSION

Mr. McCONNELL. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. McCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 175, Marvin Kaplan.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2020.

#### CLOTURE MOTION

Mr. McCONNELL. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2020.

Mitch McConnell, Chuck Grassley, Marco Rubio, Deb Fischer, John Cornyn, Susan M. Collins, Lamar Alexander, Roy Blunt, Luther Strange, Pat Roberts, James Lankford, Bob Corker, Richard C. Shelby, John Barrasso, Joni Ernst, Orrin G. Hatch.

Mr. McCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

#### HEALTHCARE

Mr. SCHUMER. Thank you, Madam President.

First, on the matter of healthcare. I sincerely and truly hope the events of last week are a turning point. I hope they steer this body toward a period of greater bipartisanship. We sure could use it because the problems in our healthcare system did not end last week. We Democrats know that the Affordable Care Act wasn't perfect. We want to keep what works—and there

are a lot of good things in it—and we want to fix what doesn't. We have a lot of work to do on that front.

Our first order of business should be to stabilize the individual market and then both parties should work together through regular order through committees to discuss other improvements. Chairman ALEXANDER and Ranking Member MURRAY have indicated they want to work together, have public hearings, and do this the right away. I am hopeful Chairman HATCH, Ranking Member WYDEN, both of whom have proven themselves willing and able to work across party lines, also will be willing to work closely together to address broader problems with our healthcare system.

Let me repeat. The first order of business should be to stabilize the individual market, which has been racked by uncertainty.

Right now, as insurers prepare to lock in their rates and plans for 2018, the Trump administration is dangling a massive sword of Damocles over the heads of millions of Americans, threatening to end payments the administration is supposed to make that would lower deductibles and out-of-pocket costs for so many Americans. These payments are critical to keeping healthcare costs down and keeping the markets stable. Remember, AHIP—the largest trade group of insurers—has said the uncertainty about these payments is “the single most destabilizing factor in the individual market.” That is not CHUCK SCHUMER or some Democrat saying it, it is the insurers saying it. Make no mistake, by refusing these payments, President Trump is sabotaging our healthcare system. He is actively trying to make it collapse, taking out his political loss on the American people. That is not being Presidential; that is small, it is vindictive, and it will hurt millions of Americans he has sworn to help.

In Pennsylvania and North Carolina, insurers have filed two separate sets of possible rates for 2018; one if the payments are made and one if they are not. If the payments are not made, premiums would be 20 percent higher.

Let's repeat that. If the payments are not made, if President Trump follows through on his vindictive idea of not making the payments, premiums will be 20 percent higher for the people of North Carolina and Pennsylvania. So if President Trump does not guarantee these payments permanently, Americans will have to pay a Trump tax on their premiums next year.

Let me say that again. If President Trump does not guarantee these payments, Americans will be paying a Trump tax of 20 percent higher premiums.

President Trump has a responsibility to make our healthcare system work, and millions of Americans will hold him accountable if the system implodes on his watch, if insurers leave the markets on his watch, or if their premiums go up 20 percent or more on his watch.

Of course, we in Congress could remove the uncertainty hanging over the market and take the decision out of the President's hands. We can and should guarantee these payments as soon as possible, before the insurers set their rates for next year. I urge my Republican friends to join us on Senator SHAHEEN's bill to guarantee these payments and prevent President Trump's premium tax from going into effect. Republican Senators ALEXANDER, COLLINS, HATCH, PORTMAN, and JOHNSON have all spoken about the need to do this. I hope they will help us move forward. We could get this done very quickly and show the American people that we are able to work together on healthcare in a very bipartisan way, to help keep costs down for so many ratepayers.

#### SANCTIONS BILL

Now, Madam President, on the matter of Russia sanctions. I was very proud last week, as nearly every Member of Congress, save five, voted to pass legislation for sanctions on Russia, Iran, and North Korea; that there was such bipartisanship on that issue. According to reports, the President will sign the legislation.

These are tough sanctions. They will have a real effect on Russia, and they are more than justified. President Putin violated the sovereignty of Ukraine, aided and abetted human rights abuses in Syria, and attacked the very foundation of our democracy by meddling in the 2016 election.

Just as importantly, the sanctions bill gives Congress the ability to review any decision to weaken, dilute, or lift sanctions on Russia. President Putin will not be able to get out from under the sting of these sanctions without the consent of Congress.

Let this be an unequivocal message to Mr. Putin and any other nation that is thinking of interfering in our elections: If you interfere with our elections, which we hold sacred, you will be sanctioned. Those sanctions will be severe.

#### RUSSIA INVESTIGATION

Finally, Madam President, a word on the investigation conducted by Special Counsel Mueller.

Since the beginning of the investigation of Russia's meddling in our elections both here in Congress and in the executive branch, the heavy hand of the administration has never been far away. We know that the administration solicited the help of the chairman of the House Intelligence Committee to beat back reports in the press about Russia's interference in our election, and that was after 17 intelligence agencies said that it happened. The President fired FBI Director Jim Comey and admitted on national television that he was thinking about “this Russia thing” when he did it. Then, after Special Counsel Mueller was appointed to lead the investigation, allies of the administration went on television to defame his character, to sully his reputation—a shameful ploy to degrade a man with

one of the most sterling records of non-partisan public service that a man can have in this country.

On Twitter, the President routinely berates and humiliates his former friend—maybe he still is a friend; who knows—his Attorney General, his great ally in his campaign. Jeff Sessions was one of President Trump's earliest friends, one of his first supporters in Congress. Not only does that get to character—I cannot imagine any American likes the way Senator Sessions was treated, whether you agree with him or disagree with him—but it also raises questions about whether the President wants the Attorney General to resign so that he can appoint a new Attorney General who is willing to fire Special Counsel Mueller.

If such a scenario were to pass, we would have a constitutional crisis on our hands. The Senate should remove even the possibility of its coming about. So, in the tradition of the Senate, I expect that we will hold pro forma sessions throughout the upcoming recess to prevent a recess appointment from being made.

The fact that President Trump continues to meddle with the Department of Justice and impede the Russia investigation gets to a larger question: If President Trump has nothing to hide, nothing to fear, why not let Special Counsel Mueller do his job, follow the facts, and finally get to the bottom of the matter?

On a matter as important as foreign interference in our elections, the American people deserve a thorough and impartial investigation into the facts. President Trump should come nowhere near it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. NELSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### VENEZUELA

Mr. NELSON. Madam President, we have chaos in Venezuela. It is a protracted crisis in Venezuela, which took yet another turn for the worse yesterday.

Venezuelan President Nicolas Maduro pushed ahead with a vote to form a constitutional assembly despite the vehement opposition of the Venezuelan people and overwhelming international criticism. It became a sham vote. Only about 10 percent of the population voted. The opposition stayed home. Plain and simple, the vote was illegal, and it was rigged. Once again, on the streets and at the ballot box, the Venezuelan people have made themselves heard loud and clear. Two weeks ago, more than 7 million Venezuelans voted against even holding this vote, and, yesterday, millions of people stayed home.

Maduro wants to rewrite Venezuela's Constitution so that he can cling to power, and yesterday's vote was only the latest attempt to undermine, if not to completely undo, Venezuela's democracy. He continues to crack down on protesters, killing more than 100 and injuring and arresting thousands more. His thugs have raided homes and terrorized the opposition's families. He has tried to strip the National Assembly of its powers, undercut the Attorney General, and he has co-opted the courts. His thugs attacked the National Assembly and injured opposition lawmakers. He blocked a lawful referendum to recall his election.

His cronies steal the country's money and enrich themselves. All the while, the Venezuelan people suffer. The people go hungry; children are malnourished; there are no staple products—no medicines, no medical supplies for the people. Of course, you know who gets the food and the medical treatment. It is the privileged few—the Maduro ones whom he protects. This is Venezuela's tragic reality.

Maduro has made himself a dictator, and he and his cronies are bent on turning Venezuela's once vibrant democracy and once vibrant economy into a Cuban-style regime. Nevertheless, the Venezuelan people, in the face of violence, oppression, and deprivation, continue to fight for their democracy—for the little bit of freedom they have left. They are doing everything they can—at great risk to themselves and their families—to save their democracy and, thus, to save their country. The task just got a lot harder.

The issue before us is what we can do to support them since Maduro has now installed himself with this fake referendum on the National Assembly. What can we do to keep Maduro from being the dictator he is?

What we need to do is to condemn the National Assembly as the sham that it is. It also means the United States increasing the pressure on the Maduro regime. I just spoke this afternoon with the Treasury Department. The United States announced a little earlier this afternoon that it has frozen Maduro's assets. I expect at least two other countries to follow suit—and probably more after they do. This is an important step, and I hope that it is the first in what will be the strongest possible economic sanctions to stop Maduro. It is time that we consider cutting the imports of Venezuela's oil also.

What have we done thus far?

There was already a group of Maduro's cronies—some in the private sector, some in the government—on whom the sanctions have been slapped. You ask: What does that do? What good does that do? Listen, all of these cronies of Maduro's love to come to Miami. They love to have offshore bank accounts and all kinds of assets stashed overseas—if not in the United States, perhaps in some of those other

countries that are going to follow suit. We should do that with his cronies.

What we have done today with the announcement by the Treasury Department is to freeze Nicholas Maduro's assets, and if other countries will follow suit, they are going to freeze his assets as well.

Maybe we should take the next step. The next step is that Venezuela exports a lot of its oil to the United States. It is such a heavy, dirty crude that a good part of that has to go to the refineries in the United States because those refineries are the ones that are capable of refining that heavy, dirty crude. Maybe we just ought to stop our imports of Venezuela's oil and absorb that percentage of loss of oil that is coming into the United States from Venezuela as, clearly, on the world marketplace, oil is fungible. Maybe that is what we ought to do because we are now dealing with a Cuban-style dictator who is the head of Venezuela.

I think, in going forward, that the United States must insist on the release of all political prisoners and the rule of law and that Venezuela has to go back to when it was a thriving democracy. That was back when they respected human rights and the people had some freedoms. As the United States, we ought to help rally the nations of the Organization of American States and rally the support of the world to bring about a meaningful end to this crisis because it is just going to get worse and worse.

The violence that you have seen on the TV yesterday and today is going to continue. As you continue to squeeze the people, to starve them, to take away all semblance of human decency, what do you think they are going to do? They are going to revolt, and the violence is not going to stop.

There is a role for Congress, and there is an opportunity for the Congress to lead. The President's budget eliminated the funding for democracy programs in Venezuela that supported the old National Assembly and civil society and those same democracy programs that promoted human rights and the encouraging of an independent media.

Recently I wrote to the Senate Appropriations Committee, along with a number of other Senators, urging that the committee continue that funding for those democracy programs in Venezuela. In May, this Senator joined Senators CARDIN and RUBIO and seven others in introducing the Venezuela Humanitarian Assistance and Defense of Democratic Governance Act. That bill addresses the many aspects of the crisis in Venezuela.

It codified targeted sanctions on regime officials—something we are now implementing—and thank goodness for this announcement today by the administration. I give them kudos for that. That act would authorize badly needed humanitarian assistance. It would back OAS efforts to bring about an end to the crisis, and it funds election observation organizations and

groups working to defend democracy in Venezuela.

These are bipartisan efforts, and I urge our colleagues to support them, and I urge that we bring them up as soon as possible. The situation is terrible in the country, and the situation in that chaos, especially what we have seen in Caracas, is going to get worse. Time is of the essence.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MORAN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

[Rollcall Vote No. 180 Leg.]

YEAS—68

Alexander	Fischer	Nelson
Barrasso	Flake	Paul
Blumenthal	Gardner	Perdue
Blunt	Grassley	Portman
Boozman	Hassan	Risch
Capito	Hatch	Roberts
Cardin	Heitkamp	Rounds
Casey	Heller	Rubio
Cassidy	Hirono	Sasse
Cochran	Hoeven	Scott
Collins	Inhofe	Shaheen
Corker	Isakson	Shelby
Cornyn	Johnson	Stabenow
Cotton	Kennedy	Strange
Crapo	Klobuchar	Sullivan
Cruz	Lankford	Tester
Daines	Leahy	Thune
Donnelly	Lee	Tillis
Duckworth	McCaskill	Toomey
Durbin	McConnell	Warner
Enzi	Moran	Wicker
Ernst	Murkowski	Young
Feinstein	Murphy	

NAYS—26

Baldwin	Gillibrand	Sanders
Bennet	Harris	Schatz
Booker	Heinrich	Schumer
Brown	Kaine	Udall
Cantwell	King	Van Hollen
Carper	Manchin	Warren
Coons	Markey	Whitehouse
Cortez Masto	Murray	Wyden
Franken	Reed	

NOT VOTING—6

Burr	McCain	Merkley
Graham	Menendez	Peters

The PRESIDING OFFICER. On this vote, the yeas are 68, the nays are 26.

The motion is agreed to.

The majority leader.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

### ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-30, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Switzerland for defense articles and services estimated to cost \$115 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER,  
Acting Director.

Enclosures.

TRANSMITTAL NO. 17-30

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 35(b)(1) of the Arms Export Control Act, as amended

(i) (U) Prospective Purchaser: The Government of Switzerland.

(ii) (U) Total Estimated Value:  
Major Defense Equipment \* \$25 million.  
Other \$90 million.  
Total \$115 million.

(iii) (U) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

The following defense articles and services have been requested as part of a Service Life Extension Program for Switzerland's F/A-18C/D aircraft:

Major Defense Equipment (MDE):

Up to fifty (50) Multifunctional Information Distribution System Joint Tactical Radio System (MIDS JTRS) with Concurrent Multi-Net 4 (CMN-4) Capability.

Non-MDE includes: Fifty (50) ARC-210 GEN 5 RT-1900A(C) radios w/Second Generation Anti-Jam Tactical UHF Radio for NATO (SATURN) frequency hopping; twenty (20) Joint Helmet Mounted Cueing System (JHMCS) Night Vision Cueing Display (NVCD); CIT Automated Dependence Surveillance-Broadcast (ADS-B) Out; software enhancements to the APG-73 radar; improvements to the F/A-18 Software Configuration Set (SCS) 29C; and sustainment for the ALQ-165 Airborne Self Protection Jammer (ASPJ) system. Operational support for these modifications will be provided through upgrades to the purchaser's unique Mission Data System. Also included are: system integration and testing; software development and integration; support equipment; spare and repair parts; maintenance personnel and pilot familiarization training; software support; publications and technical documents; U.S. Government and contractor technical assistance; and other related elements of logistics and program support.

(iv) (U) Military Department: Navy (XX-P-LAS).

(v) (U) Prior Related Cases, if any: SZ-P-LAN.

(vi) (U) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) (U) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) (U) Date Report Delivered to Congress: July 28, 2017.

\* As defined in Section 47(6) of the Arms Export Control Act.

### POLICY JUSTIFICATION

(U) Government of Switzerland—F/A-18 Upgrades

(U) The Government of Switzerland has requested the possible sale of a Service Life

## EXECUTIVE CALENDAR—Continued

### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

Dan Sullivan, John Barrasso, John Cornyn, Orrin G. Hatch, Ron Johnson, Chuck Grassley, Tom Cotton, Richard Burr, James Lankford, Lamar Alexander, John Kennedy, Cory Gardner, James M. Inhofe, Michael B. Enzi, John Thune, Richard C. Shelby, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from South Carolina (Mr. GRAHAM), and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ), the Senator from Oregon (Mr. MERKLEY), and the Senator from Michigan (Mr. PETERS) are necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 68, nays 26, as follows:

Extension Program for its F/A-18C/D aircraft to include up to fifty (50) Multifunctional Information Distribution System Joint Tactical Radio System (MIDS JTRS) with Concurrent Multi-Net 4 (CMN-4) capability; fifty (50) ARC-210 GEN 5 RT-1900A(C) radios w/ Second Generation Anti-Jam Tactical UHF Radio for NATO (SATURN) frequency hopping; twenty (20) Joint Helmet Mounted Cueing System (JHMCS) Night Vision Cueing Display (NVCD); CIT Automated Dependence Surveillance-Broadcast (ADS-B) Out; software enhancements to the APG-73 radar; improvements to the F/A-18 Software Configuration Set (SCS) 29C; and sustainment for the ALQ-165 Airborne Self Protection Jammer (ASPJ) system. Operational support for these modifications will be provided through upgrades to the purchaser's unique Mission Data System. Also included are: system integration and testing; software development and integration; support equipment; spare and repair parts; maintenance personnel and pilot familiarization training; software support; publications and technical documents; U.S. Government and contractor technical assistance; and other related elements of logistics and program support. The estimated total case value is \$115 million.

(U) This proposed sale will contribute to the foreign policy and national security objectives of the United States by helping to improve the security of Switzerland which has been, and continues to be an important force for political stability and economic progress in Europe. Switzerland is also a member of the NATO Partnership for Peace (PfP) program.

(U) The proposed sale will allow the Swiss Air Force to extend the useful life of its F/A-18 fighter aircraft and enhance their survivability. Further, the proposed sale will increase Switzerland's tactical aviation operational capabilities. Switzerland will have no difficulty absorbing this equipment and support into its armed forces.

(U) The proposed sale of this equipment and support will not alter the basic military balance in the region.

(U) The principal contractors will be the Boeing Company, McDonnell Douglas Corporation, St. Louis, MO; Data Link Solutions LLC, Wayne, NJ; Rockwell Collins, Cedar Rapids, IA; Rockwell Collins ESA Vision System LLC, Fort Worth, TX. There are no known offset agreements associated with this potential sale.

(U) Implementation of this proposed sale will not require the assignment of any additional U.S. Government personnel or contractor representatives to Switzerland. However, multiple trips to Switzerland involving U.S. Government and contractor representatives will be required for technical reviews/support, and program management.

(U) There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

#### TRANSMITTAL NO. 17-30

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

#### Annex Item No. vii

##### (vii) (U) Sensitivity of Technology:

1. (U) The hardware and software being purchased is being used to upgrade Switzerland's existing F/A-18C/D Hornet aircraft. Description and classification of the hardware and software being purchased are detailed in the following paragraphs.

a. (U) The MIDS/JTRS with CMN-4 is a secure, scalable, modular, wireless, and jam-resistant digital information system currently providing Tactical Air Navigation (TACAN), Link-16, and J-Voice to airborne, ground, and maritime joint and coalition warfighting platforms. MIDS provides real-time and low-

cost information and situational awareness via digital and voice, communications within the JTRS Enterprise. The MIDS/JTRS hardware is UNCLASSIFIED. The MIDS/JTRS software requires a crypto key be loaded in order to function. The crypto key required for operation is a Controlled Cryptographic Item (CCI).

b. (U) The ARC-210 GEN 5 RT-1900A(C) is a digital radio capable of transmit and receipt of Digital Communication System, Variable Message Format (DCS/VMF) encrypted data messages. The RT-1900 hardware is UNCLASSIFIED. The RT 1900 software requires a crypto key be loaded in order to function. The crypto key required for operation is a Controlled Cryptographic Item (CCI).

c. (U) The AN/AVS-11 Night Vision Cueing Device (NVCD) is UNCLASSIFIED but is capable of high resolution imaging. This capability allows reduced visibility weapon delivery using Switzerland's F/A-18C/D aircraft. While the NVCD hardware is UNCLASSIFIED, this item requires Enhanced End Use Monitoring (EEUM).

2. (U) If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures which might reduce weapons systems effectiveness or be used in the development of a system with similar or advanced capabilities.

3. (U) A determination has been made that the Government of Switzerland can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale is necessary to the furtherance of the U.S. foreign policy and national security objectives outlined in the policy justification.

4. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Switzerland.

#### NOMINATION OF KEVIN NEWSOM

Mrs. FEINSTEIN. Mr. President, today I want to speak briefly about the nomination of Kevin Newsom to the Eleventh Circuit Court of Appeals from Alabama.

I intend to support Mr. Newsom's nomination. Mr. Newsom is currently in private practice in Birmingham. He previously served as the solicitor general of Alabama. He also clerked for Justice Souter on the U.S. Supreme Court and graduated from Harvard Law School and Samford University. The American Bar Association has unanimously rated him "well qualified."

My support for Mr. Newsom's nomination does not mean that this is a judicial nominee that I would have necessarily chosen. There are aspects of Mr. Newsom's record that concern me.

For example, in private practice, Mr. Newsom published an article in which he was extremely critical of the doctrine known as substantive due process. This is the doctrine the Supreme Court invoked in protecting the right to use contraception, a women's right to choose, and the right to same-sex marriage.

Additionally, as solicitor general of Alabama, Mr. Newsom filed an amicus brief in the Supreme Court in the case *Rasul v. Bush*, arguing that Federal courts did not have jurisdiction to hear habeas claims from foreign nationals

who were captured overseas and detained at Guantanamo Bay. The Supreme Court ruled against Mr. Newsom's position in a 6-3 decision.

Lastly, while Mr. Newsom was in private practice, he filed an amicus brief in the Supreme Court case *Roper v. Simmons*, where he urged the Court to reject a brightline rule prohibiting capital punishment for children under the age of 18. His work on this case followed several other cases where, as solicitor general of Alabama, he had argued against procedural rights for individuals on death row.

As I consider this nominee, I have to balance these positions—which do concern me—with other aspects of Mr. Newsom's nomination. Here, we have a nominee unanimously rated "well qualified" by the American Bar Association. His home-State Senators have returned blue slips and support his nomination. Although some outside groups have expressed concerns, no outside group has officially opposed his confirmation.

As a result, I voted to invoke cloture on Mr. Newsom's nomination today. My decision on every nominee will be based on that nominee's individual record.

I also want to briefly remind my colleagues why we are even considering Mr. Newsom's nomination in the first place.

In February 2016, President Obama nominated Alabama U.S. District Court Judge Abdul Kallon for this very same vacancy on the Eleventh Circuit.

Today Mr. Newsom was voted on because Senators SHELBY and STRANGE returned blue slips for his nomination.

I would like the Senate to also know that we held a hearing just last week that included Judge Ralph Erickson to be a judge on the Eighth Circuit Court of Appeals because Senators HOEVEN and HETKAMP returned their blue slips. This shows the importance of the blue slip helping move nominations through the process.

Democratic Senators are conducting their due diligence on these nominees before returning their blue slips, and in the Erickson nomination, the return of the blue slip is bipartisan. Many of the current nominees have voluminous records, and we need to allow home-State Senators to do their work.

Thank you.

#### TRIBUTE TO PETER JOHN CAMINO

Mr. ENZI. Mr. President, I wish to speak on behalf of Peter John Camino, who is being inducted into the Wyoming Agriculture Hall of Fame. Every year since 1992, Wyoming has recognized individuals who have made substantial contributions to agriculture in our State. As a third-generation rancher dedicating much of his life to Wyoming's agriculture industry, Peter John is well deserving of this honor.

Peter John grew up on his ranch that his grandfather founded near Buffalo, WY. After attending college, he joined

the military and served honorably for several years. Ultimately, the ranch lifestyle called him home and he returned to Wyoming to take over the family operation. Peter John has said the sheep business was thriving upon his return and fondly remembers the community support and good times.

Fortunately for Wyoming, Peter John not only stuck with the agriculture industry during the good times, but took on leadership positions and persevered through the hard times as well. Peter John served as president of the Wyoming Wool Growers Association and played a crucial role in strengthening the organization. He has been described by coworkers and friends as a courageous leader who would always take time to listen to members of the organization. As president, he guided the sheep industry through some tough times and advocated for its cause at the local and Federal levels.

Leadership, courage, and collaboration are only some of the admirable qualities Peter John possesses. He has also shown dedication and selflessness while volunteering in his community and passing on his knowledge of the agriculture industry to younger generations. In addition to volunteering with his church and Knights of Columbus, serving on the board for Johnson County Fire District, and advising the University of Wyoming's Sheep Program, he also serves as sheep superintendent for the Johnson County Fair and often invites schoolkids to his ranch to teach them about ranching, the sheep industry, and the value of wool.

I want to extend my congratulations to Mr. Camino and thank him for his service and years of hard work. Peter John truly lives the "Code of the West," and I am proud to have the opportunity to recognize his achievements as an inductee into the Wyoming Agriculture Hall of Fame. Wyoming is well served by his lasting and continuing contributions to our State.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO MARIDI CHOMA

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Maridi for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Maridi is a native of Casper, WY. She currently attends the University of Wyoming, where she is studying international studies and French. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Maridi for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know

she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

##### TRIBUTE TO ELIZABETH DUNCAN

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Elizabeth for her hard work as an intern in the Senate Committee on Environment and Public Works. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Elizabeth is a native of California. She currently attends Johns Hopkins University, where she is studying international studies and history. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Elizabeth for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

##### TRIBUTE TO KAITLYN FINLEY

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Kaitlyn for her hard work as an intern in the Senate Committee on Environment and Public Works. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Kaitlyn is a native of Oklahoma. She currently attends the University of Oklahoma, where she is studying political science and history. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Kaitlyn for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

##### TRIBUTE TO SAMUEL FRENCH

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Samuel for his hard work as an intern in the Senate Committee on Environment and Public Works. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Samuel is a native of Wilson, WY, and a graduate of Boston College. He studied environmental studies. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Samuel for the dedication he has shown while working for

me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

##### TRIBUTE TO ELIZABETH GREGORY

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Elizabeth for her hard work as an intern in the Senate Republican Policy Committee. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Elizabeth is a native of New Jersey. She currently attends Villanova University, where she is studying political science. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Elizabeth for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

##### TRIBUTE TO CONNOR HIGGINS

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Connor for his hard work as an intern in the Senate Committee on Environment and Public Works. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Connor is a native of Nevada. He currently attends Linfield College, where he is studying political science. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Connor for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

##### TRIBUTE TO AMANDA HINCHEY

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Amanda for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Amanda is a native of Casper, WY. She currently attends the University of Wyoming, where she is studying business management and Spanish. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Amanda for the dedication she has shown while working for

me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

#### TRIBUTE TO KAYLA LAFOUNTAIN

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Kayla for her hard work as an intern in my Casper office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Kayla is a native of Casper, WY. She currently attends Casper College, where she is studying international studies. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Kayla for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

#### TRIBUTE TO JESSICA LEACH

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Jessica for her hard work as an intern in the Senate Republican Policy Committee. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Jessica is a native of Cheyenne, WY. She currently attends the University of Wyoming, where she is studying secondary education social studies. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Jessica for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

#### TRIBUTE TO CAREN NELSON

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Caren for her hard work as an intern in the Senate Committee on Environment and Public Works. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Caren is a native of Texas. She is a graduate of the University of Oklahoma, where she studied environmental sustainability. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Caren for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

#### TRIBUTE TO CONOR POWERS

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Conor for his hard work as an intern in the Senate Republican Policy Committee. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Conor is a native of New York. He currently attends Boston College, where he is studying political science. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Conor for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

#### TRIBUTE TO DAKOTAH PRICE

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Dakotah for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Dakotah is a native of Casper, WY. She currently attends the University of Wyoming, where she is studying economics and journalism. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Dakotah for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

#### TRIBUTE TO CHRISTOPHER RUWART

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Christopher for his hard work as an intern in my Cheyenne office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Christopher is a native of Wheatland, WY. He currently attends the University of Wyoming, where he is studying political science. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in

his great efforts over the last several months.

I want to thank Christopher for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

#### TRIBUTE TO PATRICK SHEEHAN

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Patrick for his hard work as an intern in my Casper office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Patrick is a native of Casper, WY. He currently attends the University of Wyoming, where he is studying organizational leadership. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Patrick for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

#### TRIBUTE TO CHARLES VANPATTEN

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Charles for his hard work as an intern in my Cheyenne office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Charles is a native of Gillette, WY. He is a graduate of the University of Wyoming, where he studied history. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Charles for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

#### TRIBUTE TO GEORGE ECCARIUS

● Mr. THUNE. Mr. President, today I recognize George Eccarius, an intern in my Rapid City, SD, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

George is a graduate of St. Thomas More High School in Rapid City. Currently, he is attending the University of Oregon, where he is majoring in business. George is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to George Eccarius for all of



the fine work he has done and wish him continued success in the years to come.●

#### A TRIBUTE TO HALLIE SHAE

● Mr. THUNE. Mr. President, today I recognize Hallie Shae, an intern in my Aberdeen, SD, office for all of the hard work she has done for me, my staff, and the State of South Dakota.

Hallie is a graduate of Deuel High School in Clear Lake, SD. Currently, she is attending Northern State University, where she is majoring in sociology, with an emphasis in criminal justice. Hallie is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Hallie Shae for all of the fine work she has done and wish her continued success in the years to come.●

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Ridgway, one of his secretaries.

#### PRESIDENTIAL MESSAGE

#### REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13441 WITH RESPECT TO LEBANON, RECEIVED DURING ADJOURNMENT OF THE SENATE ON JULY 28, 2017—PM 15

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days of the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007, is to continue in effect beyond August 1, 2017.

Certain ongoing activities, such as continuing arms transfers to Hizballah that include increasingly sophisticated weapons systems, undermine Lebanese sovereignty, contribute to political and economic instability in the region, and continue to constitute an unusual and extraordinary threat to the national

security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13441 with respect to Lebanon.

DONALD J. TRUMP.  
THE WHITE HOUSE, July 28, 2017.

#### MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

##### ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on July 28, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 3364. An act to provide congressional review and to counter aggression by the Governments of Iran, the Russian Federation, and North Korea, and for other purposes:

Under the authority of the order of the Senate of January 3, 2017, the enrolled bill was signed on July 28, 2017, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

#### MESSAGE FROM THE HOUSE

At 4:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 95. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide child care assistance to veterans receiving certain medical services provided by the Department of Veterans Affairs.

H.R. 873. An act to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes.

H.R. 2772. An act to amend title 38, United States Code, to provide for requirements relating to the reassignment of Department of Veterans Affairs senior executive employees.

H.R. 3180. An act to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

H.R. 3219. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes.

H.R. 3262. An act to require the Secretary of Veterans Affairs to carry out a pilot program to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs, and for other purposes.

The message also announced that the House has passed the following bill with an amendment, in which it requests the concurrence of the Senate:

S. 371. An act to make technical changes and other improvements to the Department of State Authorities Act, Fiscal Year 2017.

The message further announced that the House has passed the following bill with amendments, in which it requests the concurrence of the Senate:

S. 114. An act to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 95. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide child care assistance to veterans receiving certain medical services provided by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 2772. An act to amend title 38, United States Code, to provide for requirements relating to the reassignment of Department of Veterans Affairs senior executive employees; to the Committee on Veterans' Affairs.

H.R. 3180. An act to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence.

H.R. 3262. An act to require the Secretary of Veterans Affairs to carry out a pilot program to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 3219. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2363. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Certain Designated Counties in Idaho, and Malheur County, Oregon; Decreased Assessment Rate" (Docket No. AMS-SC-16-0111) received in the Office of the President of the Senate on July 26, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2364. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tart Cherries Grown in the States of Michigan, et al.; Free and Restricted Percentages for the 2016-17 Crop Year for Tart Cherries" (Docket No. AMS-SC-16-0105) received in the Office of the President of the Senate on July



26, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2365. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Walnuts Grown in California; Decreased Assessment Rate” (Docket No. AMS-SC-17-0031) received in the Office of the President of the Senate on July 26, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2366. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Sweet Onions Grown in the Walla Walla Valley of Southeast Washington and Northeast Oregon; Decreased Assessment Rate” (Docket No. AMS-SC-16-0116) received in the Office of the President of the Senate on July 24, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2367. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC-2368. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Incorporation by Reference of American Society of Mechanical Engineers Codes and Code Cases” ((RIN3150-AI97) (NRC-2011-0088)) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2369. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled, “Review of Medicare’s Program for Oversight of Accrediting Organizations and the Clinical Laboratory Improvement Validation Program: Fiscal Year 2016”; to the Committee on Finance.

EC-2370. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Technical Corrections to U.S. Customs and Border Protection Regulations” (CBP Dec. 17-08) received in the Office of the President of the Senate on July 24, 2017; to the Committee on Finance.

EC-2371. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0768); to the Committee on Foreign Relations.

EC-2372. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) and 36(d) of the Arms Export Control Act, the certification of defense articles, including technical data, and defense services to support the establishment of an F-35 aircraft Final Assembly and Checkout (FACO) facility in Nagoya, Japan for end-use by the Japan Air Self Defense Force in the amount of \$100,000,000 or more (Transmittal No. DDTC 17-016); to the Committee on Foreign Relations.

EC-2373. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section

36(c) of the Arms Export Control Act, the certification of a proposed license for the export of M1500 bolt action rifles in various calibers and accessories to Argentina for commercial resale in the amount of \$1,000,000 or more (Transmittal No. DDTC 17-020); to the Committee on Foreign Relations.

EC-2374. A communication from the Assistant General Counsel, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities Program; Early Intervention Program for Infants and Toddlers with Disabilities” (RIN1820-AB74) received during adjournment of the Senate in the Office of the President of the Senate on July 14, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2375. A communication from the Chief of External Affairs and Performance Branch, Office of Government Ethics, transmitting, pursuant to law, a report relative to a vacancy in the position of Director, Office of Government Ethics, received in the Office of the President of the Senate on July 26, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-2376. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-101, “Medical Marijuana Certified Business Enterprise Preference Temporary Amendment Act of 2017”; to the Committee on Homeland Security and Governmental Affairs.

EC-2377. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-100, “Closing of a Public Alley in Square 2960, S.O. 15-53893, Act of 2017”; to the Committee on Homeland Security and Governmental Affairs.

EC-2378. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Ametoctradin; Pesticide Tolerance” (FRL No. 9963-04) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2379. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Fenamidone; Pesticide Tolerances” (FRL No. 9962-96) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2380. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Fenpyroximate; Pesticide Tolerances” (FRL No. 9963-22) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2381. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Pseudomonas chloraraphis strain AFS009; Exemption from the Requirement of a Tolerance” (FRL No. 9961-77) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2382. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Tolpyralate; Pesticide Tolerances” (FRL No. 9964-15) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2383. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Topramezone; Pesticide Tolerances” (FRL No. 9960-37) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2384. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals relative to the “National Defense Authorization Act for Fiscal Year 2018”; to the Committee on Armed Services.

EC-2385. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report relative to activities under the Secretary of Defense personnel management demonstration project authorities for Department of Defense Science and Technology Reinvention Laboratories (STRs) for calendar year 2016; to the Committee on Armed Services.

EC-2386. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the quarterly exception Selected Acquisition Reports (SARs) for the Army Major Defense Acquisition Programs (MDAPs) (OSS-2017-0785); to the Committee on Armed Services.

EC-2387. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral William A. Brown, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-2388. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled “Amendments to Federal Mortgage Disclosure Requirements under the Truth in Lending Act (Regulation Z)” (RIN3170-AA61) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2389. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled “Fiscal Year 2016 Superfund Five-Year Review Report to Congress”; to the Committee on Environment and Public Works.

EC-2390. A communication from the Director of Congressional Affairs, Office of General Counsel, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Service Level I, II, and III Protective Coatings Applied to Nuclear Power Plants” (NRC-2016-0192) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2391. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Expedited Approval of Alternative Test Procedures for the Analysis of Contaminants under the Safe Drinking Water Act; Analysis and Sampling Procedures” (FRL No. 9964-78-OW) received during adjournment

EC-2418. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Solid Waste and Emergency Response, received

during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2419. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Water, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2420. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Administration and Resources Management, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2421. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Administration and Resources Management, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2422. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Quality Group Classification and Standards for Water-, Steam-, Radioactive-Waste-Components of Nuclear Power Plants" (Regulatory Guide 1.26, Revision 5) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2423. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Comprehensive Vibration Assessment Program for Reactor Internals During Preoperational and Initial Startup Testing" (Regulatory Guide 1.20, Revision 4) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2424. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Evaluation of Shipper-Receiver Differences in the Transfer of Special Nuclear Material; Internal Transfers of Special Nuclear Material; Shipping and Receiving Control of Strategic Nuclear Material" ((NRC-2016-0189) (Regulatory Guide 5.28, Revision 0; Regulatory Guide 5.49, Revision 0; and Regulatory Guide 5.57, Revision 1)) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2425. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Recommended Practice for Dealing with Outlying Observations" (NRC-2017-0077) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2426. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Assessment of the Assumption of Normality (Employing Individual Observed Values)" (NRC-2017-0161) received in the Office of the President of the Senate on

July 25, 2017; to the Committee on Environment and Public Works.

EC-2427. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Dedication of Commercial-Grade Items for Use in Nuclear Power Plants" (Regulatory Guide 1.164, Revision 0) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2428. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Guidance for the application of the Theft and Diversion Design-Basis Threat for Category I Fuel Cycle Facilities" (NRC-2017-0042) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2429. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Shipping, Receiving, and Internal Transfer of Special Nuclear Material at Fuel Cycle Facilities" (Regulatory Guide 5.41, Revision 0) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2430. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Limit of Error Concepts and Principles of Calculation in Nuclear Materials Control" (NRC-2017-0059) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2431. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the semiannual report on the continued compliance of Azerbaijan, Kazakhstan, Tajikistan, and Uzbekistan with the 1974 Trade Act's freedom of emigration provisions, as required under the Jackson-Vanik Amendment; to the Committee on Finance.

EC-2432. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Special Enrollment Examination User Fee for Enrolled Agents" ((RIN1545-BN09) (TD 9820)) received in the Office of the President of the Senate on July 28, 2017; to the Committee on Finance.

EC-2433. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Return Due Date and Extended Due Date Changes" ((RIN1545-BN13) (TD 9821)) received in the Office of the President of the Senate on July 28, 2017; to the Committee on Finance.

EC-2434. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Extension of Notice 2015-77 for Participants in the HFA Hardest Hit Fund" (Notice 2017-40) received in the Office of the President of the Senate on July 28, 2017; to the Committee on Finance.

EC-2435. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rules Regarding the Health Insurance Premium Tax Credit" ((RIN1545-BM09) (TD 9822)) received in the Office of the President of the Senate on July 28, 2017; to the Committee on Finance.

EC-2436. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Branded Prescription Drug Fee" ((RIN1545-BM26) (TD 9823)) received in the Office of the President of the Senate on July 28, 2017; to the Committee on Finance.

EC-2437. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Extension of Sunset Date for Attorney Advisor Program" (RIN0960-AI06) received in the Office of the President of the Senate on July 28, 2017; to the Committee on Finance.

EC-2438. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2017-0129—2017-0141); to the Committee on Foreign Relations.

EC-2439. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits" (29 CFR Part 4022) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2440. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Premarket Approval of Pediatric Uses of Devices—Fiscal Year 2015"; to the Committee on Health, Education, Labor, and Pensions.

EC-2441. A communication from the Assistant General Counsel for Regulatory Services, Office of Innovation and Improvement, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Definitions and Selection Criteria that Apply to Direct Grant Programs" (RIN1855-AA13) received during adjournment of the Senate in the Office of the President of the Senate on July 28, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2442. A communication from the Acting Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report relative to the Board's 2017 Federal Activities Inventory Reform Act inventory; to the Committee on Homeland Security and Governmental Affairs.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CARPER (for himself, Ms. COLLINS, Mr. BROWN, Mr. CARDIN, Mr. REED, Mr. COONS, Mr. KING, Mr. SCHATZ, Mr. MARKEY, Mr. MENENDEZ, Ms. WARREN, and Mr. WHITEHOUSE):

S. 1672. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. DURBIN, and Mr. VAN HOLLEN):

S. 1673. A bill to amend the Internal Revenue Code to include in income the unrepatriated earnings of groups that include an inverted corporation; to the Committee on Finance.

By Mr. REED (for himself, Mr. BROWN, Ms. CORTEZ MASTO, Ms. HASSAN, Ms. WARREN, Mr. WHITEHOUSE, Ms. HIRONO, and Mr. CARDIN):

S. 1674. A bill to provide grants for the repair, renovation, and construction of public elementary schools and secondary schools, to establish a school infrastructure bond program, and for other purposes; to the Committee on Finance.

By Mr. BLUNT (for himself, Ms. WARREN, Mr. LANKFORD, and Mrs. SHAHEEN):

S. 1675. A bill to promote quality student loan servicing by improving the borrower experience for borrowers of Federal Direct Loans; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself and Mrs. CAPITO):

S. 1676. A bill to amend the Rural Electrification Act of 1936 to provide grants for access to broadband telecommunications services in rural areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DONNELLY (for himself and Mr. STRANGE):

S. 1677. A bill to amend the Food, Agriculture, Conservation, and Trade Act of 1990 to improve access to grants and loans for evidence-based substance use disorder treatment services in rural areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DONNELLY (for himself and Mr. ROBERTS):

S. 1678. A bill to amend the Consolidated Farm and Rural Development Act to improve access to grants and loans for evidence-based substance use disorder treatment services in rural areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. DUCKWORTH (for herself, Mr. BLUMENTHAL, and Mr. DURBIN):

S. 1679. A bill to amend the Foreign Agents Registration Act of 1938 to increase enforcement of certain violations and strengthen certain transparency requirements; to the Committee on Foreign Relations.

By Mr. BLUMENTHAL (for himself, Mr. SCHATZ, Mr. WYDEN, Mr. MERKLEY, and Mr. BOOKER):

S. 1680. A bill to decrease the incidence of food waste, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SANDERS:

S. 1681. A bill to require persons who undertake Federally funded research and development of drugs to enter into reasonable pricing agreements with the Secretary of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

#### ADDITIONAL COSPONSORS

S. 479

At the request of Mr. BROWN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 497

At the request of Ms. CANTWELL, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 497, a bill to amend title XVIII of the Social Security Act to provide

for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 754

At the request of Mr. KAINE, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 754, a bill to support meeting our Nation's growing cybersecurity workforce needs by expanding the cybersecurity education pipeline.

S. 910

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 910, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 1002

At the request of Mr. MORAN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1002, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1050

At the request of Ms. DUCKWORTH, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1169

At the request of Mr. DURBIN, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1169, a bill to amend title XIX of the Social Security Act to provide States with an option to provide medical assistance to individuals between the ages of 22 and 64 for inpatient services to treat substance use disorders at certain facilities, and for other purposes.

S. 1182

At the request of Mr. YOUNG, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1218

At the request of Ms. HETTKAMP, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1218, a bill to promote Federal employment for veterans, and for other purposes.

S. 1301

At the request of Mr. NELSON, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1301, a bill to amend title XVIII of the Social Security Act to

provide for the distribution of additional residency positions, and for other purposes.

S. 1514

At the request of Mr. BARRASSO, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 1514, a bill to amend certain Acts to reauthorize those Acts and to increase protections for wildlife, and for other purposes.

S. 1520

At the request of Mr. WICKER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1520, a bill to expand recreational fishing opportunities through enhanced marine fishery conservation and management, and for other purposes.

S. 1529

At the request of Ms. HEITKAMP, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1529, a bill to amend the Internal Revenue Code of 1986 to expand eligibility for the refundable credit for coverage under a qualified health plan.

S. 1544

At the request of Ms. KLOBUCHAR, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1544, a bill to prevent Federal funds from being used to establish a cybersecurity unit in cooperation with the Russian Federation.

S. 1595

At the request of Mr. RUBIO, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 1595, a bill to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes.

S. 1598

At the request of Mr. ISAKSON, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Alabama (Mr. STRANGE) were added as cosponsors of S. 1598, a bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1619

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1619, a bill to amend the Servicemembers Civil Relief Act to extend the interest rate limitation on debt entered into during military service to debt incurred during military service to consolidate or refinance student loans incurred before military service.

S. 1638

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1638, a bill to provide priority under certain federally assisted housing programs to assist youths who

are aging out of foster care, and for other purposes.

S. 1640

At the request of Mr. DURBIN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1640, a bill to reform the financing of Senate elections, and for other purposes.

S. 1657

At the request of Mr. LEE, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 1657, a bill to amend title 18, United States Code, to update the privacy protections for electronic communications information that is stored by third-party service providers and for geolocation information in order to protect consumer privacy interests while meeting law enforcement needs, and for other purposes.

S. 1663

At the request of Mr. HOEVEN, the names of the Senator from Montana (Mr. DAINES), the Senator from Mississippi (Mr. WICKER), the Senator from Wyoming (Mr. BARRASSO) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1663, a bill to amend the Internal Revenue Code of 1986 to enhance the requirements for secure geological storage of carbon dioxide for purposes of the carbon dioxide sequestration credit.

S. RES. 233

At the request of Mr. REED, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. Res. 233, a resolution designating August 16, 2017, as "National Airborne Day".

AMENDMENT NO. 527

At the request of Mr. LEAHY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of amendment No. 527 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 528

At the request of Mr. LEAHY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of amendment No. 528 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 529

At the request of Mr. LEAHY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from California (Mrs. FEINSTEIN) were added as

cosponsors of amendment No. 529 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 534

At the request of Mrs. CAPITO, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of amendment No. 534 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 536

At the request of Mrs. CAPITO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of amendment No. 536 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 592

At the request of Mr. DURBIN, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Maine (Ms. COLLINS), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Colorado (Mr. BENNET) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of amendment No. 592 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. BROWN, Ms. CORTEZ MASTO, Ms. HASSAN, Ms. WARREN, Mr. WHITEHOUSE, Ms. HIRONO, and Mr. CARDIN):

S. 1674. A bill to provide grants for the repair, renovation, and construction of public elementary schools and secondary schools, to establish a school infrastructure bond program, and for other purposes; to the Committee on Finance.

Mr. REED. Mr. President, our public schools are critical National infrastructure. They play a central role in our Democracy—educating the next generation, serving as polling places for our elections, hosting community meetings and events, and so much more. As we consider the components

of a new major Federal investment in infrastructure, we cannot afford to leave our public schools behind. That is why I am proud to be introducing the School Building Improvement Act with my colleagues Senators BROWN, CORTEZ MASTO, HASSAN, WARREN, WHITEHOUSE, HIRONO, and CARDIN.

Safe, healthy, modern, well-equipped schools are essential for advancing student achievement and ensuring that the next generation is prepared to meet the economic, social, environmental, and global challenges our Nation faces. Yet, too many of the over 50 million students and six million staff who learn and work in our public schools, spend their days in facilities that fail to make the grade. A 2014 Department of Education study estimated that it would cost \$197 billion to bring all public schools into "good" condition. Nationally, there is also a \$38 billion funding gap in annual capital construction and new facility funding, as reported in the 2016 State of Our Schools report. Despite the benefits and need, however, Federal funding accounts for 0.2% of the total current capital investment in our schools.

Addressing this need is the right thing to do for our students and our communities. Moreover, it will give a needed boost to our economy, putting people to work in family sustaining jobs. According to an analysis by the Economic Policy Institute, every \$1 billion spent on construction generates 17,785 jobs.

There are plenty of examples in Rhode Island of the urgent need for additional investment in school facilities. My hometown of Cranston recently reported \$190 million in school facility deficiencies—a startling figure. In the weeks ahead, the Rhode Island Department of Education will publish a report detailing the infrastructure shortfalls in school districts across the state. Our students and community members do not have to be convinced about the need for investing in school facilities. This spring, students, educators, and community leaders gathered in Providence to talk about our schools. One participant said, "The condition of the buildings is a value statement about how we feel about our students. We must have buildings that are warm, safe, and dry." The Federal government needs to be a partner in helping Rhode Island and other States in closing school infrastructure funding gaps.

The School Building Improvement Act of 2017 will create a Federal-State partnership for school infrastructure. It will provide, over ten years, a total of \$100 billion in direct grants and school construction bonds to help fill the annual gap in school facility capital needs, while creating nearly two million jobs.

Specifically, the School Building Improvement Act will provide \$7 billion per year in formula funds to States for local competitive grants for school repair, renovation, and construction. States will focus assistance on communities with the greatest financial need,

encourage green construction practices, and ensure equitable access for public charter schools. Our legislation would also provide \$30 billion for qualified school infrastructure bonds (QSIBs), \$10 billion each year from FY 2018 through FY 2020 and expand the bond authority of and eligible purposes for Qualified Zone Academy Bonds (QZABS) to allow local education agencies to construct, rehabilitate, retrofit, or repair school facilities. The School Building Improvement Act also supports American workers by ensuring that projects use American-made iron, steel, and manufactured products.

I would like to thank the broad coalition of educators, community organizations, and unions that have provided feedback and support for this legislation, including Rebuild America's Schools, American Federation of Teachers, Californians for School Facilities, Council of the Great City Schools, International Union of Operating Engineers, National Association of Elementary School Principals, National Association of Federally Impacted Schools, National Association of Secondary School Principals, National Education Association, National Parent Teacher Association, and North America's Building Trades Unions. We look forward to expanding this coalition in the weeks and months ahead.

We have no time to waste in fixing our deteriorating school infrastructure. In the words of a student activist in Providence, "Students cannot learn in a crumbling building, a school that isn't fit to uplift our minds." We need to listen to our students, strengthen our communities, and improve our school buildings. I urge all of my colleagues to cosponsor the School Building Improvement Act.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 734. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 735. Mr. DONNELLY (for himself, Ms. BALDWIN, Ms. STABENOW, Mrs. GILLIBRAND, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 736. Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 737. Mr. JOHNSON (for himself, Ms. BALDWIN, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 738. Mr. BARRASSO (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 739. Mr. MURPHY submitted an amendment intended to be proposed by him to the

bill H.R. 2810, supra; which was ordered to lie on the table.

SA 740. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 734. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ . PERMANENT RESIDENT STATUS FOR LUIS BARRIOS, VALENT KOLAMI, NURY CHAVARRIA, AND JOEL COLINDRES.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Luis Barrios, Valent Kolami, Nury Chavarria, and Joel Colindres shall each be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Luis Barrios, Valent Kolami, Nury Chavarria, or Joel Colindres enters the United States before the filing deadline specified in subsection (c), Luis Barrios, Valent Kolami, Nury Chavarria, or Joel Colindres, as applicable, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of an immigrant visa or permanent residence to Luis Barrios, Valent Kolami, Nury Chavarria, or Joel Colindres, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Luis Barrios, Valent Kolami, Nury Chavarria, or Joel Colindres, as applicable, under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) the total number of immigrant visas that are made available to natives of the country of birth of Luis Barrios, Valent Kolami, Nury Chavarria, or Joel Colindres, as applicable, under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted

for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 735. Mr. DONNELLY (for himself, Ms. BALDWIN, Ms. STABENOW, Mrs. GILLIBRAND, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

#### Subtitle K—End Outsourcing Act

##### SEC. 899D. SHORT TITLE.

This subtitle may be cited as the "End Outsourcing Act".

##### SEC. 899E. OUTSOURCING STATEMENT IN WORKER ADJUSTMENT AND RETRAINING NOTICE.

(a) OUTSOURCING STATEMENT.—Section 3 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2102) is amended by adding at the end the following:

"(e) OUTSOURCING STATEMENT.—

"(1) IN GENERAL.—For purposes of subsection (a), the employer shall include an outsourcing statement in the notice described in that subsection. The outsourcing statement shall specify whether part or all of the positions held by affected employees covered by subsection (a) will be moved to a country outside the United States, regardless of whether the positions are moved within the business enterprise involved or to another business enterprise. The employer shall make the determination of whether the positions are being so moved in accordance with regulations issued by the Secretary. The employer shall serve the notice as required under subsection (a) and submit the notice to the Secretary of Labor.

"(2) LIST.—Not less often than annually, the Secretary shall publish and make available on the website of the Department of Labor, a list including each employer who—

"(A) has included an outsourcing statement in a notice under paragraph (1); or

"(B) has incurred liability under section 5, in part or in whole, because the employer ordered a plant closing or mass layoff without having served a notice that is required, under this section, to include an outsourcing statement."

(b) IMPLEMENTATION REPORT.—The Worker Adjustment and Retraining Notification Act is amended by inserting after section 10 (29 U.S.C. 2109) the following:

##### "SEC. 10A. IMPLEMENTATION STUDY.

"(a) STUDY.—The Comptroller General of the United States shall conduct a study of the implementation of section 3(e) of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2102(e)) by the Department of Labor.

"(b) REPORT.—Not later than 3 years after the date of enactment of this section, the Comptroller General shall submit to the appropriate committees of Congress a report containing the results of the study."

##### SEC. 899F. DENIAL OF DEDUCTION FOR OUTSOURCING EXPENSES.

(a) IN GENERAL.—Part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

##### "SEC. 280I. OUTSOURCING EXPENSES.

"(a) IN GENERAL.—No deduction otherwise allowable under this chapter shall be allowed for any specified outsourcing expense.



“(b) SPECIFIED OUTSOURCING EXPENSE.—For purposes of this section—

“(1) IN GENERAL.—The term ‘specified outsourcing expense’ means—

“(A) any eligible expense paid or incurred by the taxpayer in connection with the elimination of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located within the United States, and

“(B) any eligible expense paid or incurred by the taxpayer in connection with the establishment of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located outside the United States,

if such establishment constitutes the relocation of the business unit so eliminated. For purposes of the preceding sentence, a relocation shall not be treated as failing to occur merely because such elimination occurs in a different taxable year than such establishment.

“(2) ELIGIBLE EXPENSES.—The term ‘eligible expenses’ means—

“(A) any amount for which a deduction is allowed to the taxpayer under section 162, and

“(B) permit and license fees, lease brokerage fees, equipment installation costs, and, to the extent provided by the Secretary, other similar expenses.

Such term does not include any compensation which is paid or incurred in connection with severance from employment and, to the extent provided by the Secretary, any similar amount.

“(3) BUSINESS UNIT.—The term ‘business unit’ means—

“(A) any trade or business, and

“(B) any line of business, or functional unit, which is part of any trade or business.

“(4) EXPANDED AFFILIATED GROUP.—The term ‘expanded affiliated group’ means an affiliated group as defined in section 1504(a), determined without regard to section 1504(b)(3) and by substituting ‘more than 50 percent’ for ‘at least 80 percent’ each place it appears in section 1504(a). A partnership or any other entity (other than a corporation) shall be treated as a member of an expanded affiliated group if such entity is controlled (within the meaning of section 954(d)(3)) by members of such group (including any entity treated as a member of such group by reason of this paragraph).

“(5) OPERATING EXPENSES NOT TAKEN INTO ACCOUNT.—Any amount paid or incurred in connection with the ongoing operation of a business unit shall not be treated as an amount paid or incurred in connection with the establishment or elimination of such business unit.

“(c) SPECIAL RULES.—

“(1) APPLICATION TO DEDUCTIONS FOR DEPRECIATION AND AMORTIZATION.—In the case of any portion of a specified outsourcing expense which is not deductible in the taxable year in which paid or incurred, such portion shall neither be chargeable to capital account nor amortizable.

“(2) POSSESSIONS TREATED AS PART OF THE UNITED STATES.—For purposes of this section, the term ‘United States’ shall be treated as including each possession of the United States (including the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands).

“(d) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section, including regulations which provide (or create a rebuttable presumption) that certain establishments of business units outside the United States will be treated as relocations (based

on timing or such other factors as the Secretary may provide) of business units eliminated within the United States.”.

(b) LIMITATION ON SUBPART F INCOME OF CONTROLLED FOREIGN CORPORATIONS DETERMINED WITHOUT REGARD TO SPECIFIED OUTSOURCING EXPENSES.—Subsection (c) of section 952 of such Code is amended by adding at the end the following new paragraph:

“(4) EARNINGS AND PROFITS DETERMINED WITHOUT REGARD TO SPECIFIED OUTSOURCING EXPENSES.—For purposes of this subsection, earnings and profits of any controlled foreign corporation shall be determined without regard to any specified outsourcing expense (as defined in section 280I(b)).”.

(c) CLERICAL AMENDMENT.—The table of sections for part IX of subchapter B of chapter 1 of such Code is amended by adding at the end the following new item:

“Sec. 280I. Outsourcing expenses.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after the date of the enactment of this Act.

#### **SEC. 899G. DENIAL OF CERTAIN DEDUCTIONS AND ACCOUNTING METHODS FOR OUTSOURCING EMPLOYERS.**

(a) IN GENERAL.—Part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

#### **“SEC. 280J. LIMITATIONS FOR OUTSOURCING EMPLOYERS.**

“(a) IN GENERAL.—During the disallowance period, an applicable taxpayer—

“(1) shall not be allowed any deduction under section 199 for any income of the taxpayer,

“(2) may not use the method provided in section 472(b) in inventorying goods,

“(3) may not use the lower of cost or market method of determining inventories for purposes of determining income, and

“(4) shall not be allowed any deduction under section 163 for interest paid or accrued on indebtedness.

“(b) APPLICABLE TAXPAYER.—For purposes of subsection (a), the term ‘applicable taxpayer’ means a taxpayer which—

“(1) during the taxable year, has served written notice under subsection (a) of section 3 of the Worker Adjustment and Retraining Notification Act which includes an outsourcing statement described in subsection (e) of such section, and

“(2) the cumulative employment loss (excluding any part-time employees) for positions at facilities owned by such taxpayer which will be moved to a country outside of the United States, as determined pursuant to any outsourcing statements served by such taxpayer during such taxable year, exceeds 50 employees.

“(c) DISALLOWANCE PERIOD.—For purposes of subsection (a), the disallowance period is the period of 3 taxable years after the taxable year in which the statements described in subsection (b)(2) are required to be served.

“(d) EXPANDED AFFILIATED GROUP TREATED AS SINGLE TAXPAYER.—For purposes of this section, the members of an expanded affiliated group (as defined in section 280I(b)(4)) shall be treated as a single taxpayer.

“(e) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section.”.

(b) CLERICAL AMENDMENT.—The table of sections for part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“Sec. 280J. Limitations for outsourcing employers.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable

years beginning after the date of the enactment of this Act.

#### **SEC. 899H. RECAPTURE OF CREDITS FOR OUTSOURCING EMPLOYERS.**

(a) IN GENERAL.—Part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subpart:

#### **“Subpart K—Recapture of Credits for Outsourcing Employers**

“Sec. 54BB. Recapture of credits for outsourcing employers.

#### **“SEC. 54BB. RECAPTURE OF CREDITS FOR OUTSOURCING EMPLOYERS.**

“(a) IN GENERAL.—Pursuant to regulations prescribed by the Secretary, in the case of a taxpayer which owns a facility for which there is an outsourcing event during the taxable year, the tax under this chapter for such taxable year shall be increased by the amount equal to the sum of—

“(1) any credits allowed under this chapter relating to expenses for design, construction, operation, or maintenance of such facility during the 5 taxable years preceding such taxable year, and

“(2) any grants provided by the Secretary in lieu of credits described in paragraph (1) during the 5 taxable years preceding such taxable year.

“(b) OUTSOURCING EVENT.—For purposes of subsection (a), the term ‘outsourcing event’ means a plant closing or mass layoff (as described in section 2(a) of the Worker Adjustment and Retraining Notification Act) in which the employment loss (excluding any part-time employees) for positions which will be moved to a country outside of the United States, as determined pursuant to the outsourcing statement (as described in paragraph (1) of such section 3(e) of such Act) served by the taxpayer during the taxable year, exceeds 50 employees.

“(c) EXPANDED AFFILIATED GROUP TREATED AS SINGLE TAXPAYER.—For purposes of this section, the members of an expanded affiliated group (as defined in section 280I(b)(4)) shall be treated as a single taxpayer.”.

(b) CLERICAL AMENDMENT.—The table of subparts for part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

#### **“SUBPART K. RECAPTURE OF CREDITS FOR OUTSOURCING EMPLOYERS”.**

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

#### **SEC. 899I. CREDIT FOR INSOURCING EXPENSES.**

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

#### **“SEC. 45S. CREDIT FOR INSOURCING EXPENSES.**

“(a) IN GENERAL.—For purposes of section 38, the insourcing expenses credit for any taxable year is an amount equal to 20 percent of the eligible insourcing expenses of the taxpayer which are taken into account in such taxable year under subsection (d).

“(b) ELIGIBLE INSOURCING EXPENSES.—For purposes of this section—

“(1) IN GENERAL.—The term ‘eligible insourcing expenses’ means—

“(A) eligible expenses paid or incurred by the taxpayer in connection with the elimination of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located outside the United States, and

“(B) eligible expenses paid or incurred by the taxpayer in connection with the establishment of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located within—



“(i) a HUBZone (as defined in section 3(p)(2) of the Small Business Act (15 U.S.C. 632(p)(2))), or

“(ii) a low-income community (as described in section 45D(e)),

if such establishment constitutes the relocation of the business unit so eliminated. For purposes of the preceding sentence, a relocation shall not be treated as failing to occur merely because such elimination occurs in a different taxable year than such establishment.

“(2) ELIGIBLE EXPENSES.—The term ‘eligible expenses’ means—

“(A) any amount for which a deduction is allowed to the taxpayer under section 162, and

“(B) permit and license fees, lease brokerage fees, equipment installation costs, and, to the extent provided by the Secretary, other similar expenses.

Such term does not include any compensation which is paid or incurred in connection with severance from employment and, to the extent provided by the Secretary, any similar amount.

“(3) BUSINESS UNIT.—The term ‘business unit’ means—

“(A) any trade or business, and

“(B) any line of business, or functional unit, which is part of any trade or business.

“(4) EXPANDED AFFILIATED GROUP.—The term ‘expanded affiliated group’ means an affiliated group as defined in section 1504(a), determined without regard to section 1504(b)(3) and by substituting ‘more than 50 percent’ for ‘at least 80 percent’ each place it appears in section 1504(a). A partnership or any other entity (other than a corporation) shall be treated as a member of an expanded affiliated group if such entity is controlled (within the meaning of section 954(d)(3)) by members of such group (including any entity treated as a member of such group by reason of this paragraph).

“(5) EXPENSES MUST BE PURSUANT TO INSOURCING PLAN.—Amounts shall be taken into account under paragraph (1) only to the extent that such amounts are paid or incurred pursuant to a written plan to carry out the relocation described in paragraph (1).

“(6) OPERATING EXPENSES NOT TAKEN INTO ACCOUNT.—Any amount paid or incurred in connection with the on-going operation of a business unit shall not be treated as an amount paid or incurred in connection with the establishment or elimination of such business unit.

“(c) INCREASED DOMESTIC EMPLOYMENT REQUIREMENT.—No credit shall be allowed under this section unless the number of full-time equivalent employees of the taxpayer for the taxable year for which the credit is claimed exceeds the number of full-time equivalent employees of the taxpayer for the last taxable year ending before the first taxable year in which such eligible insourcing expenses were paid or incurred. For purposes of this subsection, full-time equivalent employees has the meaning given such term under section 45R(d) (and the applicable rules of section 45R(e)). All employers treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as a single employer for purposes of this subsection.

“(d) CREDIT ALLOWED UPON COMPLETION OF INSOURCING PLAN.—

“(1) IN GENERAL.—Except as provided in paragraph (2), eligible insourcing expenses shall be taken into account under subsection (a) in the taxable year during which the plan described in subsection (b)(5) has been completed and all eligible insourcing expenses pursuant to such plan have been paid or incurred.

“(2) ELECTION TO APPLY EMPLOYMENT TEST AND CLAIM CREDIT IN FIRST FULL TAXABLE

YEAR AFTER COMPLETION OF PLAN.—If the taxpayer elects the application of this paragraph, eligible insourcing expenses shall be taken into account under subsection (a) in the first taxable year after the taxable year described in paragraph (1).

“(e) POSSESSIONS TREATED AS PART OF THE UNITED STATES.—For purposes of this section, the term ‘United States’ shall be treated as including each possession of the United States (including the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands).

“(f) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section.”.

(b) CREDIT TO BE PART OF GENERAL BUSINESS CREDIT.—Subsection (b) of section 38 of such Code is amended by striking “plus” at the end of paragraph (35), by striking the period at the end of paragraph (36) and inserting “, plus”, and by adding at the end the following new paragraph:

“(37) the insourcing expenses credit determined under section 45S(a).”.

(c) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

“Sec. 45S. Credit for insourcing expenses.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after the date of the enactment of this Act.

(e) APPLICATION TO UNITED STATES POSSESSIONS.—

(1) PAYMENTS TO POSSESSIONS.—

(A) MIRROR CODE POSSESSIONS.—The Secretary of the Treasury shall make periodic payments to each possession of the United States with a mirror code tax system in an amount equal to the loss to that possession by reason of section 45S of the Internal Revenue Code of 1986. Such amount shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

(B) OTHER POSSESSIONS.—The Secretary of the Treasury shall make annual payments to each possession of the United States which does not have a mirror code tax system in an amount estimated by the Secretary of the Treasury as being equal to the aggregate benefits that would have been provided to residents of such possession by reason of section 45S of such Code if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply with respect to any possession of the United States unless such possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession will promptly distribute such payment to the residents of such possession.

(2) COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—No credit shall be allowed against United States income taxes under section 45S of such Code to any person—

(A) to whom a credit is allowed against taxes imposed by the possession by reason of such section, or

(B) who is eligible for a payment under a plan described in paragraph (1)(B).

(3) DEFINITIONS AND SPECIAL RULES.—

(A) POSSESSIONS OF THE UNITED STATES.—For purposes of this section, the term “possession of the United States” includes the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands.

(B) MIRROR CODE TAX SYSTEM.—For purposes of this section, the term “mirror code tax system” means, with respect to any possession of the United States, the income tax system of such possession if the income tax

liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(C) TREATMENT OF PAYMENTS.—For purposes of section 1324(b)(2) of title 31, United States Code, the payments under this section shall be treated in the same manner as a refund due from sections referred to in such section 1324(b)(2).

**SEC. 899J. AUTHORITY FOR FEDERAL CONTRACTING OFFICERS TO TAKE THE OUTSOURCING OF JOBS FROM THE UNITED STATES INTO ACCOUNT IN AWARDED CONTRACTS.**

(a) DEPARTMENT OF DEFENSE AND RELATED AGENCY CONTRACTS.—

(1) CONSIDERATION OF OUTSOURCING.—

(A) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2327 the following new section:

**“§2327a. Contracts: consideration of outsourcing of jobs**

**“(a) DISCLOSURE OF OUTSOURCING OF JOBS.—**

**“(1) IN GENERAL.—**The head of an agency shall require a contractor that submits a bid or proposal in response to a solicitation issued by the agency to disclose in that bid or proposal if the contractor, or a subsidiary of the contractor, owns a facility for which there is an outsourcing event during the three-year period ending on the date of the submittal of the bid or proposal.

**“(2) OUTSOURCING EVENT.—**For purposes of paragraph (1), the term ‘outsourcing event’ means a plant closing or mass layoff (as described in section 2(a) of the Worker Adjustment and Retraining Notification Act) in which the employment loss (excluding any part-time employees) for positions which will be moved to a country outside of the United States, as determined pursuant to the outsourcing statement (as described in paragraph (1) of such section 3(e) of such Act) served by the taxpayer during the taxable year, exceeds 50 employees.

**“(b) CONSIDERATION AUTHORIZED.—**(1) Agency contracting officers considering bids or proposals in response to a solicitation issued by the agency may take into account any disclosure made pursuant to subsection (a) in such bids and proposals.

**“(2) The head of an agency may establish a negative preference of up to 10 percent of the cost of a contract for purposes of evaluating a bid or proposal of a contractor that makes a disclosure pursuant to subsection (a).**

**“(c) SENSE OF CONGRESS.—**It is the sense of Congress that agency contracting officers should, using section 2304(b)(3) of this title, exclude contractors making a disclosure pursuant to subsection (a) in response to solicitations issued by the agency from the bidding process in connection with such solicitations on the grounds that the actions described in the disclosures are against the public interests of the United States.

**“(d) ANNUAL REPORT.—**The head of each agency shall submit to Congress each year a report on the following:

**“(1) The number of solicitations made by the agency during the preceding year for which disclosures were made pursuant to subsection (a) in responsive bids or proposals.**

**“(2) The number of contracts awarded by the agency during the preceding year in which such disclosures were taken into account in the contract award.”.**

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of such title is amended by inserting after the item relating to section 2327 the following new item:

**“2327a. Contracts: consideration of outsourcing of jobs.”.**

(2) EXCLUSION OF FIRMS FROM SOURCES.—Section 2304(b) of such title is amended—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(B) by inserting after paragraph (2) the following new paragraph:

“(3) The head of an agency may provide for the procurement of property and services covered by this chapter using competitive procedures but excluding a source making a disclosure pursuant to section 2327a(a) of this title in the bid or proposal in response to the solicitation issued by the agency if the head of the agency determines that the actions described by disclosure are against the public interests of the United States and the source is to be excluded on those grounds. Any such determination shall take into account the sense of Congress set forth in section 2327a(c) of this title.”; and

(C) in paragraph (3), as so redesignated, by striking “paragraphs (1) and (2)” and inserting “paragraphs (1), (2), and (3)”.

(b) OTHER FEDERAL CONTRACTS.—

(1) CONSIDERATION OF OUTSOURCING.—Chapter 35 of title 41, United States Code, is amended by inserting after section 3303 the following new section:

**“§ 3303a. Bidders outsourcing jobs: disclosure of outsourcing; consideration of outsourcing in award; exclusion from sources**

“(a) DISCLOSURE OF OUTSOURCING OF JOBS.—

“(1) IN GENERAL.—The head of an executive agency shall require a contractor that submits a bid or proposal in response to a solicitation issued by the executive agency to disclose in that bid or proposal if the contractor, or a subsidiary of the contractor, owns a facility for which there is an outsourcing event during the three-year period ending on the date of the submittal of the bid or proposal.

“(2) OUTSOURCING EVENT.—For purposes of paragraph (1), the term ‘outsourcing event’ means a plant closing or mass layoff (as described in section 2(a) of the Worker Adjustment and Retraining Notification Act) in which the employment loss (excluding any part-time employees) for positions which will be moved to a country outside of the United States, as determined pursuant to the outsourcing statement (as described in paragraph (1) of such section 3(e) of such Act) served by the taxpayer during the taxable year, exceeds 50 employees.

“(b) CONSIDERATION AUTHORIZED.—(1) Contracting officers of an executive agency considering bids or proposals in response to a solicitation issued by the executive agency may take into account any disclosure made pursuant to subsection (a) in such bids and proposals.

“(2) The head of an executive agency may establish a negative preference of up to 10 percent of the cost of a contract for purposes of evaluating a bid or proposal of a contractor that makes a disclosure pursuant to subsection (a).

“(c) EXCLUSION FROM SOURCES.—

“(1) IN GENERAL.—The head of an executive agency may provide for the procurement of property and services using competitive procedures but excluding a source making a disclosure under subsection (a) in the bid or proposal in response to the solicitation issued by the executive agency if the head of the executive agency determines that the actions described by disclosure are against the public interests of the United States and the source is to be excluded on those grounds. Any such determination shall take into account the sense of Congress set forth in paragraph (2).

“(2) SENSE OF CONGRESS.—It is the sense of Congress that contracting officers of executive agencies may use paragraph (1) to ex-

clude contractors making a disclosure pursuant to subsection (a) in response to a solicitation issued by the executive agency from the bidding process in connection with the solicitation on the grounds that the actions described by the disclosure are against the public interests of the United States.

“(d) ANNUAL REPORT.—The head of each executive agency shall submit to Congress each year a report on the following:

“(1) The number of solicitations made by the executive agency during the preceding year for which disclosures were made pursuant to subsection (a) in responsive bids or proposals.

“(2) The number of contracts awarded to contractors that disclosed having outsourced more than 50 jobs during the preceding three years.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 35 of such title is amended by inserting after the item relating to section 3303 the following new item:

“3303a. Bidders outsourcing jobs: disclosure of outsourcing; consideration of outsourcing in award; exclusion from sources.”.

(3) CONFORMING AMENDMENT.—Section 3301(a) of such title is amended by inserting “3303a(c),” after “3303.”.

(c) REGULATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council, in consultation with the heads of relevant agencies, shall amend the Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement to carry out the requirements of section 3303a of title 41, United States Code, and section 2327a of title 10, United States Code, as added by this section.

(2) DEFINITION OF OUTSOURCING.—For purposes of defining outsourcing pursuant to paragraph (1), the Federal Acquisition Regulatory Council may utilize regulations prescribed by the Secretary of Labor.

(d) RULE OF CONSTRUCTION.—This section, and the amendments made by this section, shall be applied in a manner consistent with United States obligations under international agreements.

**SA 736.** Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXVIII, add the following:

**SEC. 2826. LAND CONVEYANCE, MOUNTAIN HOME AIR FORCE BASE, IDAHO.**

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the City of Mountain Home, Idaho (in this section referred to as the “City”), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 4.25 miles of railroad spur located near Mountain Home Air Force Base, Idaho, as further described in subsection (c), for the purpose of economic development.

(b) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—As consideration for the land conveyed under subsection

(a), the City shall pay to the Secretary an amount equal to the fair market value of the land, as determined by an appraisal approved by the Secretary. The City shall provide an amount that is acceptable to the Secretary, whether by cash payment, in-kind consideration as described under paragraph (2), or a combination thereof.

(2) IN-KIND CONSIDERATION.—In-kind consideration provided by the City under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facility or infrastructure under the jurisdiction of the Secretary.

(3) TREATMENT OF CONSIDERATION RECEIVED.—Consideration in the form of cash payment received by the Secretary under paragraph (1) shall be deposited in the separate fund in the Treasury described in section 572(a)(1) of title 40, United States Code.

(c) MAP AND LEGAL DESCRIPTION.—

(1) FINALIZING LEGAL DESCRIPTIONS.—As soon as practicable after the date of the enactment of this Act, the Secretary of the Air Force shall finalize a map and the legal description of the property to be conveyed under subsection (a).

(2) MINOR ERRORS.—The Secretary of the Air Force may correct any minor errors in the map or the legal description.

(3) AVAILABILITY.—The map and legal description shall be on file and available for public inspection.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary may require the City to cover all costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under this section, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the City in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance, or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) USE RESERVATION.—The Secretary may reserve a right to temporarily use, for urgent reasons of national defense and at no cost to the United States, all or a portion of the railroad spur conveyed under subsection (a).

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

**SA 737.** Mr. JOHNSON (for himself, Ms. BALDWIN, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities

of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

**SEC. 573. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO JAMES MEGELLAS FOR ACTS OF VALOR DURING BATTLE OF THE BULGE.**

(a) **WAIVER OF TIME LIMITATIONS.**—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 3741 of such title to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for the acts of valor during World War II described in subsection (b).

(b) **ACTS OF VALOR DESCRIBED.**—The acts of valor referred to in subsection (a) are the actions of James Megellas on January 28, 1945, in Herresbach, Belgium, during the Battle of the Bulge when, as a first lieutenant in the 82d Airborne Division, he led a surprise and devastating attack on a much larger advancing enemy force, killing and capturing a large number and causing others to flee, single-handedly destroying an attacking German Mark V tank with two hand-held grenades, and then leading his men in clearing and seizing Herresbach.

**SA 738.** Mr. BARRASSO (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

**SEC. \_\_\_\_ . EXPANSION OF PROHIBITION ON TRANSFER OF VETERANS MEMORIAL OBJECTS WITHOUT SPECIFIC AUTHORIZATION BY LAW.**

Paragraph (3) of section 2572(e) of title 10, United States Code, is amended to read as follows:

“(3) The prohibition imposed by paragraph (1) does not apply to a transfer of a veterans memorial object that is specifically authorized by law.”.

**SA 739.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . ITEMIZED LIST OF ITEMS ACQUIRED FROM FOREIGN ENTITIES THROUGH BUY AMERICAN NON-AVAILABILITY WAIVERS.**

Section 8302(b)(2) of title 41, United States Code, is amended—

(1) in subparagraph (C), by striking “supplies; and” and inserting “supplies;”;

(2) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(E) an itemized list of all articles, materials, and supplies acquired through waivers pursuant to subsection (a)(2)(B).”.

**SA 740.** Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . INTEGRITY IN BORDER AND IMMIGRATION ENFORCEMENT.**

(a) **SHORT TITLE.**—This section may be cited as the “Integrity in Border and Immigration Enforcement Act”.

(b) **DEFINITIONS.**—In this section:

(1) **LAW ENFORCEMENT POSITION.**—The term “law enforcement position” means any law enforcement position in U.S. Customs and Border Protection (“CBP”) or U.S. Immigration and Customs Enforcement (“ICE”).

(2) **POLYGRAPH EXAMINATION.**—The term “polygraph examination” means the Law Enforcement Pre-Employment Test certified by the National Center for Credibility Assessment.

(c) **POLYGRAPH EXAMINATIONS FOR LAW ENFORCEMENT PERSONNEL.**—

(1) **APPLICANTS.**—Beginning not later than 30 days after the date of the enactment of this Act, the Secretary of Homeland Security—

(A) shall require that polygraph examinations are conducted on all applicants for law enforcement positions; and

(B) may not hire any applicant for a law enforcement position who does not pass a polygraph examination.

(2) **TARGETED POLYGRAPH REINVESTIGATIONS.**—Beginning not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, as part of each background reinvestigation, shall administer a polygraph examination to—

(A) every CBP law enforcement employee who is determined by the Inspector General of the Department of Homeland Security to be part of a population at risk of corruption or misconduct, based on an analysis of past incidents of misconduct and corruption; and

(B) every ICE law enforcement employee who is determined by the Inspector General of the Department of Homeland Security to be part of a population at risk of corruption or misconduct, based on an analysis of past incidents of misconduct and corruption.

(3) **DELEGATION OF AUTHORITY TO DETERMINE TARGETED POLYGRAPH EXAMINATIONS.**—The Inspector General of the Department of Homeland Security may—

(A) delegate the authority under paragraph (2)(A) to the CBP Office of Professional Responsibility; and

(B) delegate the authority under paragraph (2)(B) to the ICE Office of Professional Responsibility.

(4) **RANDOM POLYGRAPH REINVESTIGATIONS.**—Beginning not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall—

(A) randomly administer a polygraph examination each year to at least 5 percent of CBP law enforcement employees who are undergoing background reinvestigations during that year and have not been selected for a

targeted polygraph examination under paragraph (2)(A); and

(B) randomly administer a polygraph examination each year to at least 5 percent of ICE law enforcement employees who are undergoing background reinvestigations during that year and have not been selected for a targeted polygraph examination under paragraph (2)(B).

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Executive Calendar Nos. 195 through 223, with the exception of COL John K. Muller, and all nominations placed on the Secretary's desk in the Air Force, Army, Foreign Service, and Navy; that the nominations be confirmed, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the Record; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

##### *To be lieutenant general*

Lt. Gen. Steven L. Kwast

The following named officer for reappointment as the Vice Chairman of the Joint Chiefs of Staff and appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 154:

##### *To be general*

Gen. Paul J. Selva

#### IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

##### *To be lieutenant general*

Maj. Gen. Bruce T. Crawford

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

##### *To be lieutenant general*

Lt. Gen. John B. Cooper

#### IN THE ARMY

The following named Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

##### *To be brigadier general*

Col. John B. Dunlap, III

Col. Donald R. Emerson  
Col. David Fleming, III  
Col. Ryan T. Pace  
Col. Andrew M. Roman

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

*To be brigadier general*

Col. Deborah Y. Howell

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. Stephen R. Lyons

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Charles W. Hooper

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Edward M. Daly

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

*To be brigadier general*

Col. Michelle M. Rose

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral (lower half)*

Capt. Daniel W. Dwyer

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral*

Rear Adm. (lh) Ross A. Myers

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. John J. Broadmeadow

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. Kenneth F. McKenzie, Jr.

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. Vincent R. Stewart

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Herman S. Clardy, III

IN THE ARMY

The following named officer for appointment in the United States Army to the grade

indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. William C. Mayville, Jr.

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601 and for appointment as a Senior Member of the Military Staff Committee of the United Nations under title 10, U.S.C., section 711:

*To be lieutenant general*

Maj. Gen. Richard D. Clarke

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be vice admiral*

Rear Adm. Frederick J. Roegge

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Daniel J. O'Donohue

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Michael A. Rocco

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. Mark A. Brilakis

IN THE AIR FORCE

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

*To be major general*

Brig. Gen. John D. Slocum

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

*To be major general*

Brig. Gen. Anthony J. Carrelli

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

*To be major general*

Brig. Gen. Sam C. Barrett

IN THE ARMY

The following named Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

*To be brigadier general*

Col. Michael N. Adame  
Col. Jaime A. Areizaga  
Col. Thomas G. Behling  
Col. Karen A. Berry

Col. Robyn J. Blader  
Col. Darrell L. Butters  
Col. Stephen M. Doyle  
Col. John J. Driscoll  
Col. Larry D. Fletcher  
Col. David A. Gagnon  
Col. Terry L. Grisham  
Col. Herman W. Holt  
Col. Todd H. Hubbard  
Col. Jonathan S. Hubbard  
Col. Manley James  
Col. David M. Jenkins  
Col. John T. Kelly  
Col. Steven J. Kremer  
Col. Scott M. MacLeod  
Col. Sharon A. Martin  
Col. Brian R. Nesvik  
Col. Donald D. Perez  
Col. Stephen M. Radulski  
Col. Carl T. Reese  
Col. Robert K. Ryan  
Col. Lawrence E. Schloegl  
Col. Grant C. Slayden  
Col. Troy J. Soukup  
Col. Brian E. Tate  
Col. Jeffrey M. Terrill  
Col. Patrick C. Thibodeau

The following named Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

*To be brigadier general*

Col. John C. Andonie  
Col. Jimmie L. Cole  
Col. William T. Conway  
Col. Jeffrey L. Copeland  
Col. Peter B. Cross  
Col. Jon M. Harrison  
Col. Stefanie K. Horvath  
Col. Lowell E. Kruse  
Col. Haldane B. Lamberton  
Col. Stephen F. Logan  
Col. Franklin D. Powell  
Col. Carlton G. Smith  
Col. Timothy N. Thombleson  
Col. Cynthia K. Tinkham

The following named Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

*To be brigadier general*

Col. Samuel AgostoSantiago  
Col. Herbert J. Brock, IV  
Col. Charles G. Cody  
Col. Charles T. Crosby  
Col. Jackie R. Davis, Jr.  
Col. Mark D. Drown  
Col. Curtis W. Faulk  
Col. Timothy A. Glynn  
Col. Richard A. Gray  
Col. Gregory J. Hadfield  
Col. Thomas W. Hanley  
Col. Shawn A. Harris  
Col. Ralph F. Hedenberg  
Col. Jackie A. Huber  
Col. David T. Manfredi  
Col. Judith D. Martin  
Col. William M. Myer  
Col. Ralph R. Myers, Jr.  
Col. Eric J. Oh  
Col. Amos P. Parker, Jr.  
Col. Joseph K. Pearce  
Col. Debra D. Rice  
Col. Douglas C. Rose, Jr.  
Col. Mark J. Schindler  
Col. Farin D. Schwartz  
Col. Ronald F. Taylor  
Col. Daniel L. Townsend  
Col. William L. Zana

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be vice admiral*

Rear Adm. (lh) William R. Merz

NOMINATIONS PLACED ON THE SECRETARY'S  
DESK

IN THE AIR FORCE

PN538 AIR FORCE nominations (1223) beginning WILLIAM JOHN ACKMAN, and ending MICHAEL D. ZOLLARS, which nominations were received by the Senate and appeared in the Congressional Record of June 5, 2017.

PN630 AIR FORCE nomination of Lisa E. Donovan, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN631 AIR FORCE nomination of Kirt L. Stallings, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN632 AIR FORCE nominations (2) beginning Michael G. Rhode, and ending Scott D. Wright, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN633 AIR FORCE nomination of Richard L. Allen, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN704 AIR FORCE nomination of Michael J. Silverman, which was received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN705 AIR FORCE nomination of Maiya D. Anderson, which was received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN706 AIR FORCE nominations (2) beginning KIMBERLY M. KITTLESON, and ending KEVIN C. PETERSON, which nominations were received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN707 AIR FORCE nominations (4) beginning CECILIA A. FLORIO, and ending JOHN M. FEJES, which nominations were received by the Senate and appeared in the Congressional Record of June 26, 2017.

IN THE ARMY

PN634 ARMY nominations (4) beginning JAMES C. BENSON, and ending JACOB S. LOFTICE, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN635 ARMY nomination of Timothy D. Litka, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN636 ARMY nomination of Scott D. Blackwell, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN637 ARMY nominations (150) beginning MICHAEL A. ADAMS, and ending D012118, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN638 ARMY nominations (32) beginning TODD R. ANDERSON, and ending JOHN F. YANIKOV, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN639 ARMY nominations (11) beginning DOUGLAS A. ALLEN, and ending THOMAS K. SARROUF, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN640 ARMY nominations (18) beginning CHARLES E. BANE, and ending MATTHEW D. WEGNER, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN641 ARMY nomination of Daren A. Douchi, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN643 ARMY nomination of Brandon J. Baer, which was received by the Senate and

appeared in the Congressional Record of June 15, 2017.

PN644 ARMY nomination of Barry Murray, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN645 ARMY nominations (82) beginning FRANCIS K. AGYAPONG, and ending SASHI A. ZICKEFOOSE, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN646 ARMY nominations (109) beginning JOSEPH H. AFANADOR, and ending D013069, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN647 ARMY nominations (26) beginning BERT M. BAKER, and ending MARIA R. S. YATES, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN649 ARMY nominations (28) beginning BRECK S. BREWER, and ending DIANA W. WEBER, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN651 ARMY nominations (2) beginning DANIEL F. ALEMANY, and ending BRITTANY E. MCCROAN, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN652 ARMY nomination of Wil B. Neubauer, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN653 ARMY nomination of Mark C. Gillespie, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN708 ARMY nomination of Joseph M. O'Callaghan, Jr., which was received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN709 ARMY nomination of Bret P. Van Poppel, which was received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN710 ARMY nomination of Aliya I. Wilson, which was received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN767 ARMY nomination of William O. Murray, which was received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN768 ARMY nomination of Patrick R. Wilde, which was received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN769 ARMY nomination of Jeff H. McDonald, which was received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN770 ARMY nominations (292) beginning EDWARD V. ABRAHAMSON, and ending D012929, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN771 ARMY nominations (393) beginning SCOTT J. AKERLEY, and ending D002220, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN772 ARMY nominations (497) beginning RYAN C. AGEE, and ending D011536, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN773 ARMY nominations (88) beginning ERIK C. ALFSEN, and ending D013346, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN774 ARMY nominations (19) beginning BRADFORD A. BAUMANN, and ending THOMAS B. VAUGHN, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN775 ARMY nomination of Jay A. Johannigman, which was received by the Senate and appeared in the Congressional Record of July 13, 2017.

IN THE FOREIGN SERVICE

\* PN578 FOREIGN SERVICE nominations (164) beginning Nicholas Raymond Abbate, and ending Elizabeth Marie Wysocki, which nominations were received by the Senate and appeared in the Congressional Record of June 6, 2017.

\* PN579 FOREIGN SERVICE nominations (106) beginning Gabriela R. Arias Villela, and ending Haenim Yoo, which nominations were received by the Senate and appeared in the Congressional Record of June 6, 2017.

\* PN580 FOREIGN SERVICE nominations (4) beginning Andrew Anderson-Sprecher, and ending Evan Nicholas Mangino, which nominations were received by the Senate and appeared in the Congressional Record of June 6, 2017.

\* PN581 FOREIGN SERVICE nominations (4) beginning Rameeth Hundle, and ending Loren Stender, which nominations were received by the Senate and appeared in the Congressional Record of June 6, 2017.

\* PN730 FOREIGN SERVICE nominations (53) beginning Andrew K. Abordonado, and ending Peter B. Winter, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2017.

IN THE NAVY

PN655 NAVY nominations (44) beginning CAMERON M. BALMA, and ending SCOTT D. ZIEGENHORN, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN656 NAVY nominations (19) beginning RICHARD A. ACKERMAN, and ending PATRICIA R. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN657 NAVY nominations (28) beginning SARAH R. BOUTWELL, and ending ANDREW F. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN658 NAVY nominations (7) beginning JEREMIAH E. CHAPLIN, and ending JEANNETTE SHEETS, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN659 NAVY nomination of Linwood O. Lewis, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN660 NAVY nomination of Brian A. Evick, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN661 NAVY nominations (15) beginning KRISTOPHER M. BRAZIL, and ending SHEREE T. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN662 NAVY nominations (479) beginning BRYCE D. ABBOTT, and ending SHANE M. ZIMMERMAN, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN663 NAVY nominations (32) beginning JEREMIAH P. ANDERSON, and ending ASHLEY S. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN664 NAVY nominations (17) beginning STACY J. G. ARENSTEIN, and ending HENRY L. THOMASON, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN665 NAVY nominations (14) beginning KELLY W. BOWMAN, JR., and ending ROBERT H. VOHRER, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN666 NAVY nominations (10) beginning LARA R. BOLLINGER, and ending CANDICE

C. TRESCH, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN667 NAVY nominations (13) beginning PATRICK P. DAVIS, and ending SEAN C. STEVENS, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN668 NAVY nominations (42) beginning JEFFRY A. ALSUP, and ending TERRY N. TRAWEEK, JR., which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN711 NAVY nomination of Linda C. Seymour, which was received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN712 NAVY nomination of Chad J. Trubilla, which was received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN776 NAVY nominations (49) beginning PATRICK R. ADAMS, and ending JAMES T. WATTERS, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN777 NAVY nomination of Randall G. Schimpf, which was received by the Senate and appeared in the Congressional Record of July 13, 2017.

### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

### MEASURE READ THE FIRST TIME—H.R. 3219

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes.

Mr. MCCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

### ORDERS FOR TUESDAY, AUGUST 1, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, August 1; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Newsom nomination, with all time during morning business, recess, adjournment, and leader remarks counting postcloture on the Newsom

nomination; finally, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

### ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator BROWN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Ohio.

### WELLS FARGO AND FORCED ARBITRATION

Mr. BROWN. Mr. President, a number of Wall Street banks, car title lenders, big corporations, and payday loan sharks have two things in common: They have a record of ripping off consumers, and they have armies of expensive lawyers and lobbyists in Washington, in Columbus, and in State capitals all over this country who protect them from facing the consequences.

That is why it is so important that ordinary American consumers have their own cop on the beat—the Consumer Financial Protection Bureau. The recent abuses by Wells Fargo are the latest proof of how necessary the Consumer Financial Protection Bureau's work is.

Less than a year ago, we learned that Wells Fargo secretly opened millions of phony bank and credit card accounts without customers' permission. The CEO of Wells Fargo had to resign as a result. This was an outrageous abuse of American consumers. The sheer size and scope of this scam are breathtaking. In total, Wells Fargo may have opened as many as 3.5 million unauthorized accounts—meaning, it opened these accounts without the accountholders even necessarily knowing that they did it, without permission—costing customers some \$2.5 million in fees.

The abuses are bad enough. To make matters worse, Wells Fargo tried to keep this scandal hidden from the public, and it used something called the “forced arbitration clauses,” which are buried in the fine print of customers' contracts, to deny them their day in court. There is hardly anybody in this country who has not confronted small print in a contract when signing that contract, especially with a financial institution. Customers first sued over these fake accounts back in 2013, but Wells Fargo then forced them into secret arbitration proceedings, keeping this scam under wraps and blocking consumers from obtaining any relief.

Last year, the Consumer Financial Protection Bureau and other watchdogs blew the lid off of this scandal. Customers sued once again, and, once

again, the bank tried to block them from getting relief in court. This time, because of the Consumer Financial Protection Bureau, the LA Times, and others who shone a light on the scandal and on all of the bad press that went with it, Wells Fargo relented. So, after two congressional hearings and a flood of bad headlines, Wells Fargo is cutting a deal in its phony account scandal. Yet now we have learned that this is not the only scam that one of America's largest banks has pulled.

Just last week, we learned that the bank forced unwanted insurance on 800,000 auto loan borrowers, potentially pushing tens of thousands into default and repossession, and it is still using these forced arbitration clauses in its contracts in order to cheat future consumers, including in the contracts in this auto loan scam.

The only thing more outrageous than the fact that Wells Fargo continues to cheat its customers is the fact that Members of Congress—a lot of Members of Congress in this body and down the hall—are trying to make it even harder for those customers to seek justice in their overturning the arbitration rule. They think that forced arbitration and the fine print, which most people do not read and most people do not understand if they do read it, is legitimate. No wonder so many hard-working Americans believe that the system is rigged against them in Wall Street's favor.

These scams have caused real damage for hundreds of thousands of Americans as 275,000 Wells Fargo customers have been forced into delinquency by being charged for unnecessary insurance, and 20,000 vehicles have been unfairly repossessed because of this bank's behavior.

Wells Fargo is not alone. Santander has used forced arbitration clauses against servicemembers. It is a Spanish company that does business in the United States and uses forced arbitration clauses against American servicemembers—again, for illegal car repossessions. In 2015, Santander used forced arbitration to block an Army National Guard sergeant from seeking justice after the bank illegally repossessed his car while he was serving our country overseas.

I see that kind of thing happening at Wright-Patterson Air Force Base in Dayton. Air Force men and women are not always making big salaries, to put it mildly, as they are serving their country. They do not make a lot of money, and a lot of these young families struggle. Yet predators—companies like Wells Fargo and payday lenders—continue to prey on them. The Consumer Financial Protection Bureau stands with them. The CFPB is looking out for folks like the Army National Guard sergeant, like those at the Wright-Patterson Air Force Base, and like those at the Air Force bases in Springfield and Mansfield and Toledo and Youngstown.

Yet, with all of this happening, some Members of Congress, again, are doing



the bidding of Wall Street lobbyists. The Bureau just finalized a new rule that limits the arbitration clauses that allow big corporations to get away with ripping off servicemembers, students, and other hard-working Americans, but the ink is barely dry on this new consumer protection, and big banks and their allies in Congress—and God knows they have a lot of allies in Congress and allies in the administration—are already trying to overturn this rule.

Last week, Republicans in the House voted to overturn this rule that ensures that all Ohioans who have been ripped off by banks or payday lenders are able to have their day in court. Despite promising during his campaign to look out for the little guy, President Trump's Acting Comptroller of the Currency, who is also—alas—a former Wells Fargo lawyer, is trying to get the Consumer Financial Protection Bureau to back off that rule.

It is unconscionable that Washington politicians are undermining the rights of consumers to have their day in court when they are cheated by banks and payday lenders. Folks in Washington who want to dismantle the Consumer Financial Protection Bureau and gut its rules seem to have collective amnesia about the devastation that Wall Street greed has wreaked on communities across the country, but most Ohioans do not have that luxury. They are still recovering.

I and my wife, Connie, live in the city of Cleveland, with the ZIP Code 44105. At this time 10 years ago, during the first half of 2007, there were more foreclosures in that ZIP Code than in any ZIP Code in the United States of America. So I have seen the aftermath. I have seen what has happened with Wall Street greed and the kind of collective amnesia in this body whenever Wall Street wants something, whenever the payday lenders want something, whenever the big banks want something, and Congress rushes in to help them and to respond to their lobbyists and their lawyers who lobby this body.

It is pretty simple. Gutting the Consumer Financial Protection Bureau's arbitration rule means banks get away with cheating their customers.

So I ask Senators in this body to ask themselves: Whose side are you on? Are you on the side of the payday lenders and Wells Fargo when they defraud the public or are you on the side of service men and women and the side of people who have lost their cars, which were repossessed because of the unilateral actions by this bank?

Those are the same big banks that preyed on working families before the crisis wrecked the economy and handed taxpayers the bill. Is that whose side we are on or are we on the side of consumers?

Mr. President, I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:37 p.m., adjourned until Tuesday, August 1, 2017, at 10 a.m.

## CONFIRMATIONS

Executive nominations confirmed by the Senate July 31, 2017:

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. STEVEN L. KWAST

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT AS THE VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 154:

#### To be general

GEN. PAUL J. SELVA

### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. BRUCE T. CRAWFORD

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. JOHN B. COOPER

### IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### To be brigadier general

COL. JOHN B. DUNLAP III  
COL. DONALD R. EMERSON  
COL. DAVID FLEMING III  
COL. RYAN T. PACE  
COL. ANDREW M. ROMAN

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### To be brigadier general

COL. DEBORAH Y. HOWELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. STEPHEN R. LYONS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. CHARLES W. HOOPER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. EDWARD M. DALY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### To be brigadier general

COL. MICHELLE M. ROSE

### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral (lower half)

CAPT. DANIEL W. DWYER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral

REAR ADM. (LH) ROSS A. MYERS

### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. JOHN J. BROADMEADOW

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. KENNETH F. MCKENZIE, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. VINCENT R. STEWART

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. HERMAN S. CLARDY III

### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. WILLIAM C. MAYVILLE, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601 AND FOR APPOINTMENT AS A SENIOR MEMBER OF THE MILITARY STAFF COMMITTEE OF THE UNITED NATIONS UNDER TITLE 10, U.S.C., SECTION 711:

#### To be lieutenant general

MAJ. GEN. RICHARD D. CLARKE

### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be vice admiral

REAR ADM. FREDERICK J. ROEGGE

### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. DANIEL J. O'DONOHUE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. MICHAEL A. ROCCO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. MARK A. BRILAKIS

### IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be major general

BRIG. GEN. JOHN D. SLOCUM

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be major general

BRIG. GEN. ANTHONY J. CARRELLI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be major general

BRIG. GEN. SAM C. BARRETT



## IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be brigadier general*

COL. MICHAEL N. ADAME  
COL. JAIME A. AREIZAGA  
COL. THOMAS G. BEHLING  
COL. KAREN A. BERRY  
COL. ROBYN J. BLADER  
COL. DARRELL L. BUTTERS  
COL. STEPHEN M. DOYLE  
COL. JOHN J. DRISCOLL  
COL. LARRY D. FLETCHER  
COL. DAVID A. GAGNON  
COL. TERRY L. GRISHAM  
COL. HERMAN W. HOLT  
COL. TODD H. HUBBARD  
COL. JONATHAN S. HUBBARD  
COL. MANLEY JAMES  
COL. DAVID M. JENKINS  
COL. JOHN T. KELLY  
COL. STEVEN J. KREMER  
COL. SCOTT M. MACLEOD  
COL. SHARON A. MARTIN  
COL. BRIAN R. NESVIK  
COL. DONALD D. PEREZ  
COL. STEPHEN M. RADULSKI  
COL. CARL T. REESE  
COL. ROBERT K. RYAN  
COL. LAWRENCE E. SCHLOEGL  
COL. GRANT C. SLAYDEN  
COL. TROY J. SOUKUP  
COL. BRIAN E. TATE  
COL. JEFFREY M. TERRILL  
COL. PATRICK C. THIBODEAU

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be brigadier general*

COL. JOHN C. ANDONIE  
COL. JIMMIE L. COLE  
COL. WILLIAM T. CONWAY  
COL. JEFFREY L. COPELAND  
COL. PETER B. CROSS  
COL. JON M. HARRISON  
COL. STEFANIE K. HORVATH  
COL. STEWELL E. KRUSE  
COL. HALDANE B. LAMBERTON  
COL. STEPHEN F. LOGAN  
COL. FRANKLIN D. POWELL  
COL. CARLTON G. SMITH  
COL. TIMOTHY N. THOMBLESON  
COL. CYNTHIA K. TINKHAM

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be brigadier general*

COL. SAMUEL AGOSTOSANTIAGO  
COL. HERBERT J. BROCK IV  
COL. CHARLES G. CODY  
COL. CHARLES T. CROSBY  
COL. JAKIE R. DAVIS, JR.  
COL. MARK D. DROWN  
COL. CURTIS W. FAULK  
COL. TIMOTHY A. GLYNN  
COL. RICHARD A. GRAY  
COL. GREGORY J. HADFIELD  
COL. THOMAS W. HANLEY  
COL. SHAWN A. HARRIS  
COL. RALPH F. HEDENBERG  
COL. JACKIE A. HUBER  
COL. DAVID T. MANFREDI  
COL. JUDITH D. MARTIN  
COL. WILLIAM M. MYER  
COL. RALPH R. MYERS, JR.  
COL. ERIC J. OH  
COL. AMOS P. PARKER, JR.  
COL. JOSEPH K. PEARCE  
COL. DEBRA D. RICE  
COL. DOUGLAS C. ROSE, JR.  
COL. MARK J. SCHINDLER  
COL. FARIN D. SCHWARTZ  
COL. RONALD F. TAYLOR  
COL. DANIEL L. TOWNSEND  
COL. WILLIAM L. ZANA

## IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. (LH) WILLIAM R. MERZ

## IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH WILLIAM JOHN ACKMAN AND ENDING WITH MICHAEL D. ZOLLARS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 5, 2017.

AIR FORCE NOMINATION OF LISA E. DONOVAN, TO BE MAJOR.

AIR FORCE NOMINATION OF KIRT L. STALLINGS, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL G. RHODE AND ENDING WITH SCOTT D. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

AIR FORCE NOMINATION OF RICHARD L. ALLEN, TO BE COLONEL.

AIR FORCE NOMINATION OF MICHAEL J. SILVERMAN, TO BE MAJOR.

AIR FORCE NOMINATION OF MAIYA D. ANDERSON, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH KIMBERLY M. KITTLESON AND ENDING WITH KEVIN C. PETERSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 26, 2017.

AIR FORCE NOMINATIONS BEGINNING WITH CECILIA A. FLORIO AND ENDING WITH JOHN M. FEJES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 26, 2017.

## IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH JAMES C. BENSON AND ENDING WITH JACOB S. LOFTICE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATION OF TIMOTHY D. LITKA, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF SCOTT D. BLACKWELL, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH MICHAEL A. ADAMS AND ENDING WITH D01218, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATIONS BEGINNING WITH TODD R. ANDERSON AND ENDING WITH JOHN F. YANIKOV, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATIONS BEGINNING WITH DOUGLAS A. ALLEN AND ENDING WITH THOMAS K. SARROUF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATIONS BEGINNING WITH CHARLES E. BANE AND ENDING WITH MATTHEW D. WEGNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATION OF DAREEN A. DOUCHI, TO BE MAJOR.

ARMY NOMINATION OF BRANDON J. BAER, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF BARRY MURRAY, TO BE LIEUTENANT COLONEL.

ARMY NOMINATIONS BEGINNING WITH FRANCIS K. AGYAPONG AND ENDING WITH SASHI A. ZICKEFOOSE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATIONS BEGINNING WITH JOSEPH H. AFANADOR AND ENDING WITH D013069, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATIONS BEGINNING WITH BERT M. BAKER AND ENDING WITH MARIA R. S. YATES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATIONS BEGINNING WITH BRECK S. BREWER AND ENDING WITH DIANA W. WEBER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATIONS BEGINNING WITH DANIEL F. ALEMANY AND ENDING WITH BRITTANY E. MCCROAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATION OF WIL B. NEUBAUER, TO BE COLONEL.

ARMY NOMINATION OF MARK C. GILLESPIE, TO BE COLONEL.

ARMY NOMINATION OF JOSEPH M. O'CALLAGHAN, JR., TO BE COLONEL.

ARMY NOMINATION OF BRET P. VAN POPPEL, TO BE COLONEL.

ARMY NOMINATION OF ALIYA I. WILSON, TO BE MAJOR.

ARMY NOMINATION OF WILLIAM O. MURRAY, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF PATRICK R. WILDE, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF JEFF H. MCDONALD, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH EDWARD V. ABRAHAMSON AND ENDING WITH D013229, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2017.

ARMY NOMINATIONS BEGINNING WITH SCOTT J. AKERLEY AND ENDING WITH D002220, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2017.

ARMY NOMINATIONS BEGINNING WITH RYAN C. AGEY AND ENDING WITH D01536, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2017.

ARMY NOMINATIONS BEGINNING WITH ERIK C. ALFSEN AND ENDING WITH D013346, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2017.

ARMY NOMINATIONS BEGINNING WITH BRADFORD A. BAUMANN AND ENDING WITH THOMAS B. VAUGHN,

WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2017.

ARMY NOMINATION OF JAY A. JOHANNIGMAN, TO BE COLONEL.

## IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH CAMERON M. BALMA AND ENDING WITH SCOTT D. ZIEGENHORN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH RICHARD A. ACKERMAN AND ENDING WITH PATRICIA R. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH SARAH R. BOUTWELL AND ENDING WITH ANDREW F. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH JEREMIAH E. CHAPLIN AND ENDING WITH JEANETTE SHEETS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATION OF LINWOOD O. LEWIS, TO BE COMMANDER.

NAVY NOMINATION OF BRIAN A. EVICK, TO BE COMMANDER.

NAVY NOMINATIONS BEGINNING WITH KRISTOPHER M. BRAZIL AND ENDING WITH SHEREE T. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH BRYCE D. ABOTT AND ENDING WITH SHANE M. ZIMMERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH JEREMIAH P. ANDERSON AND ENDING WITH ASHLEY S. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH STACY J. G. ARENSTEIN AND ENDING WITH HENRY L. THOMASON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH KELLY W. BOWMAN, JR. AND ENDING WITH ROBERT H. VOHRER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH LARA R. BOLLINGER AND ENDING WITH CANDICE C. TRESCH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH PATRICK P. DAVIS AND ENDING WITH SEAN C. STEVENS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH JEFFRY A. ALSUP AND ENDING WITH TERRY N. TRAWEEK, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATION OF LINDA C. SEYMOUR, TO BE CAPTAIN.

NAVY NOMINATION OF CHAD J. TRUBILLA, TO BE COMMANDER.

NAVY NOMINATIONS BEGINNING WITH PATRICK R. ADAMS AND ENDING WITH JAMES T. WATTERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2017.

NAVY NOMINATION OF RANDALL G. SCHIMPF, TO BE LIEUTENANT COMMANDER.

## FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH NICHOLAS RAYMOND ABBATE AND ENDING WITH ELIZABETH MARIE WYSOCKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 6, 2017.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH GABRIELA R. ARIAS VILLELA AND ENDING WITH HAENIM YOO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 6, 2017.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ANDREW ANDERSON-SPRECHER AND ENDING WITH EVAN NICHOLAS MANGINO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 6, 2017.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH RAMEETH HUNDLE AND ENDING WITH LOREN STENDER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 6, 2017.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ANDREW K. ABORDONADO AND ENDING WITH PETER B. WINTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 29, 2017.

# EXTENSIONS OF REMARKS

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, August 1, 2017 may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

### AUGUST 2

#### Time to be announced

Committee on Health, Education, Labor, and Pensions

Business meeting to consider the nominations of Lance Allen Robertson, of Oklahoma, to be Assistant Secretary for Aging, Brett Giroir, of Texas, and Robert P. Kadlec, of New York, both to be a Medical Director in the Regular Corps of the Public Health Service, and to be Assistant Secretary for Preparedness and Response, and Elinore F. McCance-Katz, of Rhode Island, to be Assistant Secretary for Mental Health and Substance Use, all of the Department of Health and Human Services, Jerome M. Adams, of Indiana, to be Medical Director in the Regular Corps of the Public Health Service, and to be Surgeon General of the Public Health Service, Patrick Pizzella, of Virginia, to be Deputy Secretary of Labor, and Heather L. MacDougall, of Florida, and James J. Sullivan, Jr., of Pennsylvania, both to be a Member of the Occupational Safety and Health Review Commission.

TBA

Committee on Small Business and Entrepreneurship

Business meeting to consider S. 154, to amend the Small Business Act to ensure small businesses affected by the onset of transmissible diseases are eligible for disaster relief, S. 650, to amend the Small Business Act to expand tax credit education and training for small businesses that engage in research and development, S. 690, to extend the eligibility of redesignated areas as HUBZones from 3 years to 7 years, S. 929, to improve the HUBZone program, S. 1038, to require the Administrator of the Small Business Administration to submit to Congress a re-

port on the utilization of small businesses with respect to certain Federal contracts, and S. 1428, to amend section 21 of the Small Business Act to require cyber certification for small business development center counselors.

TBA

10 a.m.

Committee on Commerce, Science, and Transportation

Business meeting to consider S. 374, to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products, S. 754, to support meeting our Nation's growing cybersecurity workforce needs by expanding the cybersecurity education pipeline, S. 1322, to establish the American Fisheries Advisory Committee to assist in the awarding of fisheries research and development grants, S. 1425, to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009, S. 1532, to disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle in committing a felony involving human trafficking, S. 1536, to designate a human trafficking prevention coordinator and to expand the scope of activities authorized under the Federal Motor Carrier Safety Administration's outreach and education program to include human trafficking prevention activities, S. 1586, to require the Under Secretary for Oceans and Atmosphere to update periodically the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes, S. 1621, to require the Federal Communications Commission to establish a methodology for the collection by the Commission of information about commercial mobile service and commercial mobile data service, and the nominations of Ajit Varadaraj Pai, of Kansas, Jessica Rosenworcel, of Connecticut, and Brendan Carr, of Virginia, each to be a Member of the Federal Communications Commission, David J. Redl, of New York, to be Assistant Secretary for Communications and Information, Peter B. Davidson, of Virginia, to be General Counsel, Karen Dunn Kelley, of Pennsylvania, to be Under Secretary for Economic Affairs, and Elizabeth Erin Walsh, of the District of Columbia, to be Assistant Secretary and Director General of the United States and Foreign Commercial Service, all of the Department of Commerce, Steven Gill Bradbury, of Virginia, to be General Counsel, Mark H. Buzby, of Virginia, to be Administrator of the Maritime Administration, and Ronald L. Batory, of New Jersey, to be Administrator of the Federal Railroad Administration, all of the Department of Transportation, and Robert L. Sumwalt III, of South Carolina, to be Chairman of the National Transportation Safety Board.

SH-216

Committee on Energy and Natural Resources

Subcommittee on Water and Power

To hold hearings to examine increasing water security and drought preparedness through infrastructure, management, and innovation.

SD-366

Committee on Environment and Public Works

To hold hearings to examine the Federal Bureau of Investigation headquarters consolidation project.

SD-406

Committee on Foreign Relations

Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues

To hold hearings to examine assessing the Colombia peace process, focusing on the way forward in United States-Colombia relations; to be immediately followed by a full committee hearing to examine the nomination of Doug Manchester, of California, to be Ambassador to the Commonwealth of The Bahamas, Department of State.

SD-419

2 p.m.

Committee on Foreign Relations

To receive a closed briefing on the Authorizations for the Use of Military Force, focusing on Administration perspectives.

SVC-217

### AUGUST 3

10 a.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security

To hold hearings to examine insurance fraud in America, focusing on current issues facing industry and consumers.

SR-253

Committee on Energy and Natural Resources

To hold hearings to examine Federal and nonfederal collaboration, including through the use of technology, to reduce wildland fire risk to communities and enhance firefighting safety and effectiveness.

SD-366

Committee on Finance

To hold hearings to examine the nominations of Gilbert B. Kaplan, of the District of Columbia, to be Under Secretary of Commerce for International Trade, and Matthew Bassett, of Tennessee, to be an Assistant Secretary of Health and Human Services.

SD-215

Committee on the Judiciary

Business meeting to consider S. 705, to amend the National Child Protection Act of 1993 to establish a national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and the nominations of Jeffrey Bossert Clark, of Virginia, to be an Assistant Attorney General, Peter E. Deegan, Jr., to be United

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

States Attorney for the Northern District of Iowa, D. Michael Dunavant, to be United States Attorney for the Western District of Tennessee, Louis V. Franklin, Sr., to be United States At-

torney for the Middle District of Alabama, Marc Krickbaum, to be United States Attorney for the Southern District of Iowa, Jessie K. Liu, of Virginia, to be United States Attorney for the

District of Columbia, and Richard W. Moore, to be United States Attorney for the Southern District of Alabama, all of the Department of Justice.

SD-226

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S4609–S4631*

**Measures Introduced:** Ten bills were introduced, as follows: S. 1672–1681. **Pages S4619–20**

**Message from the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13441 with respect to Lebanon, received during adjournment of the Senate on July 28, 2017; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–15) **Page S4616**

**Newsom Nomination—Agreement:** Senate resumed consideration of the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

**Pages S4609–10, S4612**

During consideration of this nomination today, Senate also took the following action:

By 68 yeas to 26 nays (Vote No. 180), Senate agreed to the motion to close further debate on the nomination. **Page S4612**

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 10 a.m., on Tuesday, August 1, 2017, with all time during morning business, recess, adjournment and Leader remarks counting post-cloture on the nomination. **Page S4629**

**Kaplan Nomination—Cloture:** Senate began consideration of the nomination of Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board. **Page S4610**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Kevin Christopher Newsom, of

Alabama, to be United States Circuit Judge for the Eleventh Circuit. **Page S4629**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Pages S4609–10**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S4610**

**Nominations Confirmed:** Senate confirmed the following nominations:

6 Air Force nominations in the rank of general.

86 Army nominations in the rank of general.

7 Marine Corps nominations in the rank of general.

4 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Navy, and Foreign Service. **Pages S4630–31**

**Messages from the House:** **Page S4616**

**Measures Referred:** **Page S4616**

**Measures Read the First Time:** **Pages S4616, S4629**

**Executive Communications:** **Pages S4616–19**

**Additional Cosponsors:** **Pages S4620–21**

**Statements on Introduced Bills/Resolutions:** **Pages S4621–22**

**Additional Statements:** **Pages S4614–16**

**Amendments Submitted:** **Pages S4622–26**

**Record Votes:** One record vote was taken today. (Total—180) **Page S4612**

**Adjournment:** Senate convened at 4 p.m. and adjourned at 6:37 p.m., until 10 a.m. on Tuesday, August 1, 2017. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4629.)

### Committee Meetings

*(Committees not listed did not meet)*

No committee meetings were held.

# House of Representatives

## Chamber Action

The House was not in session today. The House is scheduled to meet in a Pro Forma session at 11 a.m. on Tuesday, August 1, 2017.

## Committee Meetings

No hearings were held.

## Joint Meetings

No joint committee meetings were held.

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### COMMITTEE MEETINGS FOR TUESDAY, AUGUST 1, 2017

*(Committee meetings are open unless otherwise indicated)*

#### Senate

*Committee on Commerce, Science, and Transportation:* Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, to hold hearings to examine reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act, focusing on National Oceanic and Atmospheric Administration and Council perspectives, 10 a.m., SR-253.

*Committee on Environment and Public Works:* Subcommittee on Superfund, Waste Management, and Regulatory Oversight, to hold an oversight hearing to examine the Environmental Protection Agency's Superfund program, 10 a.m., SD-406.

*Committee on Finance:* to hold hearings to examine America's affordable housing crisis, focusing on challenges and solutions, 10 a.m., SD-215.

*Committee on Foreign Relations:* to hold hearings to examine the nomination of Stephen B. King, of Wisconsin, to be Ambassador to the Czech Republic, Department of State, 11 a.m., SD-419.

*Committee on Health, Education, Labor, and Pensions:* to hold hearings to examine the nominations of Lance Allen Robertson, of Oklahoma, to be Assistant Secretary for Aging, Brett Giroir, of Texas, and Robert P. Kadlec, of New York, both to be a Medical Director in the Regular Corps of the Public Health Service, and to be Assistant Secretary for Preparedness and Response, and Elinore F. McCance-Katz, of Rhode Island, to be Assistant Secretary for Mental Health and Substance Use, all of the Department of Health and Human Services, and Jerome M. Adams, of Indiana, to be Medical Director in the Regular Corps of the Public Health Service, and to be Surgeon General of the Public Health Service, 2:30 p.m., SD-430.

#### House

No hearings are scheduled.

## CONGRESSIONAL PROGRAM AHEAD Week of August 1 through August 4, 2017

### Senate Chamber

On *Tuesday*, Senate will continue consideration of the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit, post-cloture.

Upon disposition of the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit, Senate will resume consideration of the nomination of Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board, with a vote on the motion to invoke cloture thereon.

During the balance of the week, Senate may consider any cleared legislative and executive business.

### Senate Committees

*(Committee meetings are open unless otherwise indicated)*

*Committee on Commerce, Science, and Transportation:* August 1, Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, to hold hearings to examine reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act, focusing on National Oceanic and Atmospheric Administration and Council perspectives, 10 a.m., SR-253.

August 2, Full Committee, business meeting to consider S. 374, to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products, S. 754, to support meeting our Nation's growing cybersecurity workforce needs by expanding the cybersecurity education pipeline, S. 1322, to establish the American Fisheries Advisory Committee to assist in the awarding of fisheries research and development grants, S. 1425, to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009, S. 1532, to disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle in committing a felony involving human trafficking, S. 1536, to designate a human trafficking prevention coordinator and to expand the scope of activities authorized under the Federal Motor Carrier Safety Administration's outreach and education program to include human trafficking prevention activities, S. 1586, to require the Under Secretary for Oceans and Atmosphere to update periodically the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes, S. 1621, to require the Federal Communications Commission to establish a methodology for the collection by the Commission of information about commercial mobile service and commercial mobile data service, and the nominations of Ajit Varadaraj Pai, of Kansas, Jessica Rosenworcel, of Connecticut, and

Brendan Carr, of Virginia, each to be a Member of the Federal Communications Commission, David J. Redl, of New York, to be Assistant Secretary for Communications and Information, Peter B. Davidson, of Virginia, to be General Counsel, Karen Dunn Kelley, of Pennsylvania, to be Under Secretary for Economic Affairs, and Elizabeth Erin Walsh, of the District of Columbia, to be Assistant Secretary and Director General of the United States and Foreign Commercial Service, all of the Department of Commerce, Steven Gill Bradbury, of Virginia, to be General Counsel, Mark H. Buzby, of Virginia, to be Administrator of the Maritime Administration, and Ronald L. Batory, of New Jersey, to be Administrator of the Federal Railroad Administration, all of the Department of Transportation, and Robert L. Sumwalt III, of South Carolina, to be Chairman of the National Transportation Safety Board, 10 a.m., SH-216.

August 3, Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security, to hold hearings to examine insurance fraud in America, focusing on current issues facing industry and consumers, 10 a.m., SR-253.

*Committee on Energy and Natural Resources:* August 2, Subcommittee on Water and Power, to hold hearings to examine increasing water security and drought preparedness through infrastructure, management, and innovation, 10 a.m., SD-366.

August 3, Full Committee, to hold hearings to examine Federal and nonfederal collaboration, including through the use of technology, to reduce wildland fire risk to communities and enhance firefighting safety and effectiveness, 10 a.m., SD-366.

*Committee on Environment and Public Works:* August 1, Subcommittee on Superfund, Waste Management, and Regulatory Oversight, to hold an oversight hearing to examine the Environmental Protection Agency's Superfund program, 10 a.m., SD-406.

August 2, Full Committee, to hold hearings to examine the Federal Bureau of Investigation headquarters consolidation project, 10 a.m., SD-406.

*Committee on Finance:* August 1, to hold hearings to examine America's affordable housing crisis, focusing on challenges and solutions, 10 a.m., SD-215.

August 3, Full Committee, to hold hearings to examine the nominations of Gilbert B. Kaplan, of the District of Columbia, to be Under Secretary of Commerce for International Trade, and Matthew Bassett, of Tennessee, to be an Assistant Secretary of Health and Human Services, 10 a.m., SD-215.

*Committee on Foreign Relations:* August 1, to hold hearings to examine the nomination of Stephen B. King, of Wisconsin, to be Ambassador to the Czech Republic, Department of State, 11 a.m., SD-419.

August 2, Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues, to hold hearings to examine assessing the Colombia peace process, focusing on the way forward in United States-Colombia relations; to be immediately followed by a full committee hearing to examine the nomination of Doug Manchester,

of California, to be Ambassador to the Commonwealth of The Bahamas, Department of State, 10 a.m., SD-419.

August 2, Full Committee, to receive a closed briefing on the Authorizations for the Use of Military Force, focusing on Administration perspectives, 2 p.m., SVC-217.

*Committee on Health, Education, Labor, and Pensions:* August 1, to hold hearings to examine the nominations of Lance Allen Robertson, of Oklahoma, to be Assistant Secretary for Aging, Brett Giroir, of Texas, and Robert P. Kadlec, of New York, both to be a Medical Director in the Regular Corps of the Public Health Service, and to be Assistant Secretary for Preparedness and Response, and Elinore F. McCance-Katz, of Rhode Island, to be Assistant Secretary for Mental Health and Substance Use, all of the Department of Health and Human Services, and Jerome M. Adams, of Indiana, to be Medical Director in the Regular Corps of the Public Health Service, and to be Surgeon General of the Public Health Service, 2:30 p.m., SD-430.

August 2, Full Committee, business meeting to consider the nominations of Lance Allen Robertson, of Oklahoma, to be Assistant Secretary for Aging, Brett Giroir, of Texas, and Robert P. Kadlec, of New York, both to be a Medical Director in the Regular Corps of the Public Health Service, and to be Assistant Secretary for Preparedness and Response, and Elinore F. McCance-Katz, of Rhode Island, to be Assistant Secretary for Mental Health and Substance Use, all of the Department of Health and Human Services, Jerome M. Adams, of Indiana, to be Medical Director in the Regular Corps of the Public Health Service, and to be Surgeon General of the Public Health Service, Patrick Pizzella, of Virginia, to be Deputy Secretary of Labor, and Heather L. MacDougall, of Florida, and James J. Sullivan, Jr., of Pennsylvania, both to be a Member of the Occupational Safety and Health Review Commission, Time to be announced, Room to be announced.

*Committee on the Judiciary:* August 3, business meeting to consider S. 705, to amend the National Child Protection Act of 1993 to establish a national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and the nominations of Jeffrey Bossert Clark, of Virginia, to be an Assistant Attorney General, Peter E. Deegan, Jr., to be United States Attorney for the Northern District of Iowa, D. Michael Dunavant, to be United States Attorney for the Western District of Tennessee, Louis V. Franklin, Sr., to be United States Attorney for the Middle District of Alabama, Marc Krickbaum, to be United States Attorney for the Southern District of Iowa, Jessie K. Liu, of Virginia, to be United States Attorney for the District of Columbia, and Richard W. Moore, to be United States Attorney for the Southern District of Alabama, all of the Department of Justice, 10 a.m., SD-226.

*Committee on Small Business and Entrepreneurship:* August 2, business meeting to consider S. 154, to amend the Small Business Act to ensure small businesses affected by the onset of transmissible diseases are eligible for disaster relief, S. 650, to amend the Small Business Act to expand

tax credit education and training for small businesses that engage in research and development, S. 690, to extend the eligibility of redesignated areas as HUBZones from 3 years to 7 years, S. 929, to improve the HUBZone program, S. 1038, to require the Administrator of the Small Business Administration to submit to Congress a report on the utilization of small businesses with respect to cer-

tain Federal contracts, and S. 1428, to amend section 21 of the Small Business Act to require cyber certification for small business development center counselors, Time to be announced, Room to be announced.

#### **House Committees**

No hearings are scheduled.



*Next Meeting of the SENATE*

10 a.m., Tuesday, August 1

## Senate Chamber

**Program for Tuesday:** Senate will continue consideration of the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit, post-cloture.

*(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)*

*Next Meeting of the HOUSE OF REPRESENTATIVES*

11 a.m., Tuesday, August 1

## House Chamber

**Program for Tuesday:** House will meet in Pro Forma session at 11 a.m.



## Congressional Record

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